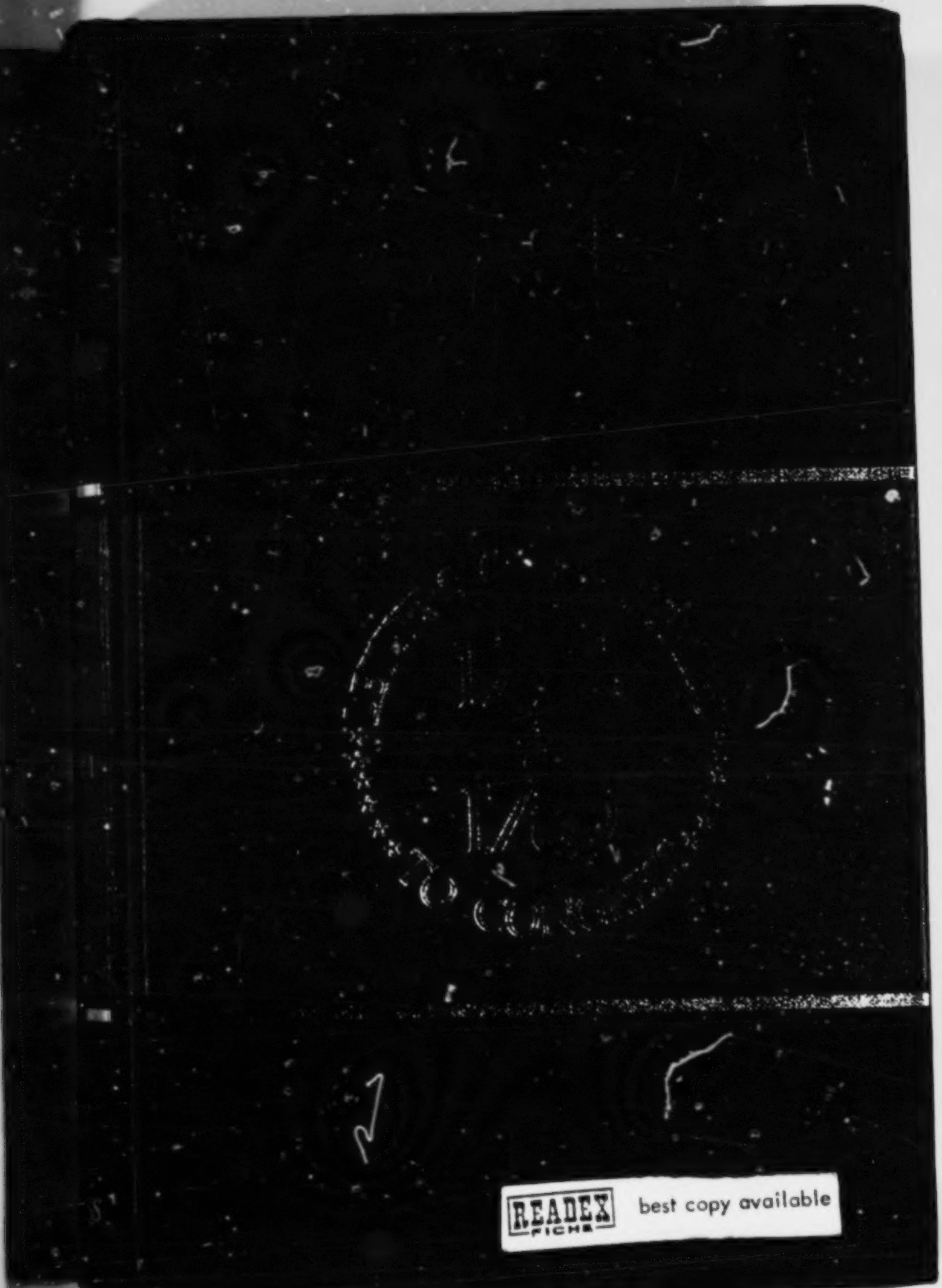

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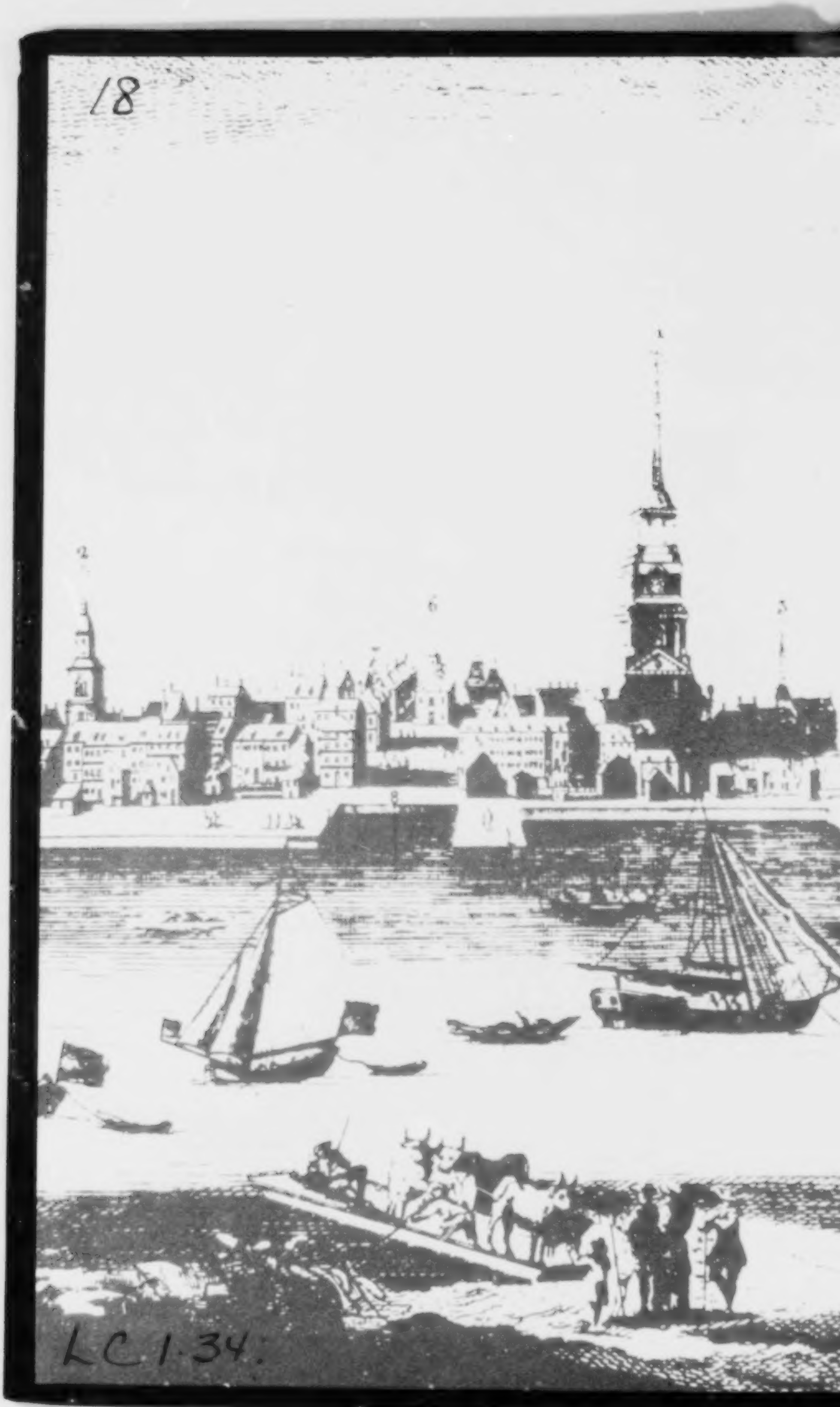

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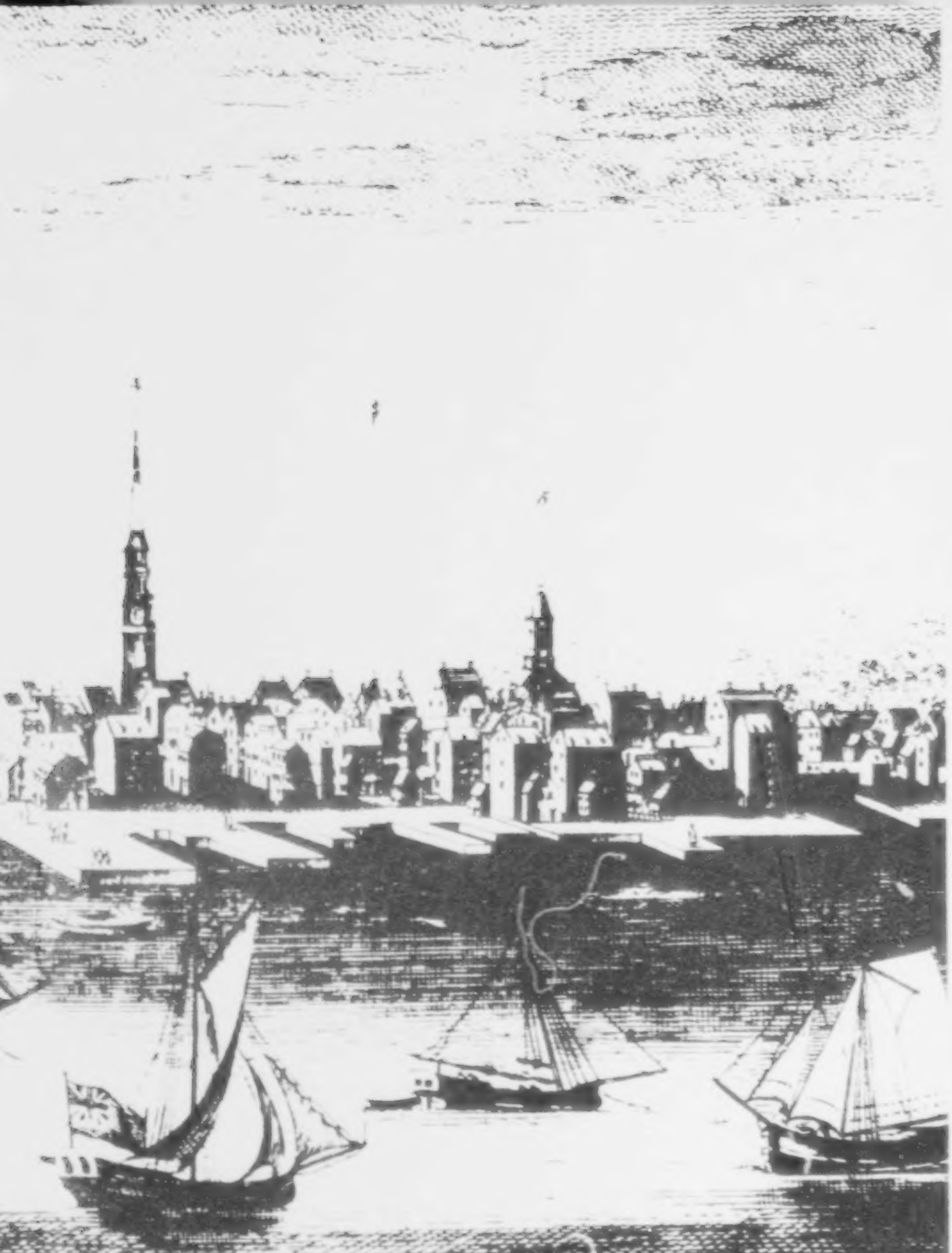

LETTERS OF DELEGATES TO CONGRESS

1774 ☆ 1789

18

September 1, 1781–July 31, 1782

Paul H. Smith, Editor

Gerard W. Gawalt and Ronald M. Gephart,
Associate Editors

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Editorial Method and Apparatus

In its treatment of documents this edition of delegate letters strives to achieve a middle ground between facsimile reproduction and thorough modernization. The original spelling and grammar are allowed to stand except where editorial changes or insertions are required to make the text intelligible. Words omitted through oversight, however, have been supplied at appropriate places in italic type in brackets, and obvious slips of the pen and inadvertent repetitions are usually silently corrected. Capitalization and punctuation have been standardized according to certain conventions. Each sentence begins with a capital letter, as do all proper and geographic names as well as days of the week and months of the year. Doubtful cases have been resolved in favor of modern usage; otherwise the usage of the original texts has been followed. Generally, abbreviations, contractions, and monetary signs are preserved as they appear in manuscript except when they are ambiguous or misleading. On the other hand, the thorn and the tilde are consistently expanded. "Ye" always appears as "The," for instance, and "rēc̄vd" as "received." Likewise, "pr." and tailed *p*'s are always expanded to "per," "pre," or "pro," as the case demands. Finally, superscript letters are always lowered to the line.

Gaps in the text are indicated by ellipses in brackets for missing words and by blank spaces in brackets for missing numbers. Conjectural readings are supplied in roman type in brackets, and editorial insertions in italic type in brackets. Material canceled in manuscript but restored to the printed text is included in italic type in angle brackets ("square parentheses"). Marginalia in letters are treated as postscripts if not obviously keyed to the body of the document, and postscripts which appear without explicit designation are supplied with a *P.S.* in brackets. Documents are arranged chronologically, with more than one document of the same date arranged alphabetically according to writer. Documents dated only by the month or by the year are placed at the end of the respective month or year. Place-and-date lines always appear on the same line with the salutation regardless of their position in the manuscript.

A descriptive note at the foot of each entry provides abbreviations indicating the nature and location of the document when it was copied for this project, except for privately owned manuscripts whose ownership is explained. The descriptive note also contains information on the document's authorship if explanation is necessary, and endorsements or addresses are quoted when they contain more than routine information. Other editorial practices employed in this work are explained in the sections on editorial apparatus which follow.

TEXTUAL DEVICES

The following devices will be used in this work to clarify the text.

[. . .], [. . . .]	One or two words missing and not conjecturable.
[. . .][1], [. . . .][1]	More than two words missing; subjoined footnote estimates amount of material missing.
[ ]	Number or part of a number missing or illegible.
[ ][1]	Blank space in manuscript; explanation in subjoined footnote.
[roman]	Conjectural reading for missing or illegible matter; question mark inserted if reading is doubtful.
[*italic*]	Editorial insertion in the text.
⟨*italic*⟩	Matter crossed out in manuscript but restored.

DESCRIPTIVE SYMBOLS

The following symbols are used in this work to describe the kinds of documents drawn upon. When more than one symbol is used in the descriptive note, the first to appear is that from which the main text is taken.

RC	recipient's copy
FC	file copy
LB	letterbook copy
MS	manuscript
Tr	transcript (used to designate not only contemporary and later handwritten copies of manuscripts, but also printed documents)

LOCATION SYMBOLS

The following symbols, denoting institutions holding the manuscripts in the present volume, are taken from *Symbols of American Libraries*, 13th ed. (Washington: Library of Congress, 1985). Each volume of this edition will contain a revised list.

CSmH	Henry E. Huntington Library, San Marino, Calif.
Ct	Connecticut State Library, Hartford
CtHi	Connecticut Historical Society, Hartford
CtMyMHi	Mystic Seaport, Inc., Mystic, Conn.
CtY	Yale University, New Haven

DLC	Library of Congress
DLC (ESR)	Library of Congress, Early State Records Collection
DNA	National Archives and Records Administration
DNDAR	Daughters of the American Revolution, Washington, D.C.
DSI	Smithsonian Institution, Washington, D.C.
De–Ar	Delaware Public Archives Commission, Dover
De–Hi	Historical Society of Delaware, Wilmington
GEU	Emory University, Atlanta, Ga.
ICHi	Chicago Historical Society
InU–Li	Lilly Library, Indiana University, Bloomington
M–Ar	Massachusetts Archives, Boston
MH–H	Harvard University, Houghton Library, Cambridge
MHi	Massachusetts Historical Society, Boston
MdAA	Maryland Hall of Records, Annapolis
MdHi	Maryland Historical Society, Baltimore
MeHi	Maine Historical Society, Portland
MiU–C	William L. Clements Library, Ann Arbor, Mich.
N	New York State Library, Albany
NHi	New-York Historical Society, New York
NIC	Cornell University, Ithaca, N.Y.
NN	New York Public Library, New York
NNC	Columbia University, New York
NNPM	Pierpont Morgan Library, New York
NRom	Jervis Library Association, Rome, N.Y.
NcD	Duke University, Durham, N.C.
NcU	University of North Carolina, Chapel Hill
Nh–Ar	New Hampshire Division of Archives and Records Management, Concord
NjHi	New Jersey Historical Society, Newark
NjMoHP	Morristown National Historical Park, Morristown, N.J.
NjP	Princeton University, Princeton, N.J.
OClWHi	Western Reserve Historical Society, Cleveland, Ohio
OHi	Ohio Historical Society, Columbus
PBL	Lehigh University, Bethlehem, Pa.
PHC	Haverford College, Haverford, Pa.
PHi	Historical Society of Pennsylvania, Philadelphia
PPAmP	American Philosophical Society, Philadelphia
PPL	Library Company of Philadelphia
R–Ar	Rhode Island State Archives, Providence
RHi	Rhode Island Historical Society, Providence
RPJCB	John Carter Brown Library, Providence
ScHi	South Carolina Historical Society, Charleston
ScU	University of South Carolina, Columbia
Vi	Virginia State Library, Richmond
ViU	University of Virginia, Charlottesville
ViW	College of William and Mary, Williamsburg

ABBREVIATIONS AND SHORT TITLES

Adams, *Family Correspondence* (Butterfield)
Butterfield, Lyman H., et al., eds. *Adams Family Correspondence.* Cambridge: Harvard University Press, Belknap Press, 1963–.

Adams, *Works* (Adams)
Adams, John. *The Works of John Adams, Second President of the United States. . . .* Edited by Charles Francis Adams. 10 vols. Boston: Charles C. Little and James Brown, 1850–56.

Bio. Dict. of Md. Legis.
A Biographical Dictionary of the Maryland Legislature, 1635–1789. Edited by Edward C. Papenfuse et al. 2 vols. Baltimore: Johns Hopkins University Press, 1979–85.

Bio. Dir. of S. C. House
Biographical Directory of the South Carolina House of Representatives. Edited by Walter B. Edgar et al. Columbia: University of South Carolina Press, 1974–.

Burnett, *Letters*
Burnett, Edmund C., ed. *Letters of Members of the Continental Congress.* 8 vols. Washington: Carnegie Institution of Washington, 1921–36.

Clinton, *Papers* (Hastings)
Clinton, George. *Public Papers of George Clinton, First Governor of New York, 1777–1795, 1801–1804.* Edited by Hugh Hastings and J. A. Holden. 10 vols. New York and Albany: Wynkoop Hallenbeck Crawford Co. et al., 1899–1914.

DAB
Dictionary of American Biography. Edited by Allen Johnson and Dumas Malone.

Deane Papers (NYHS Colls.)
Deane, Silas. *The Deane Papers.* 5 vols. New-York Historical Society Collections, vols. 19–23. New York: New-York Historical Society, 1886–90.

Evans, *Am. Bibliography*
Evans, Charles. *American Bibliography.* 12 vols. Chicago: Privately printed, 1903–34.

Freeman, *Washington*
Freeman, Douglas S. *George Washington, a Biography.* 7 vols. New York: Charles Scribner's Sons, 1948–57.

Jefferson, *Papers* (Boyd)
Jefferson, Thomas. *The Papers of Thomas Jefferson.* Edited by Julian P. Boyd et al. Princeton: Princeton University Press, 1950–.

JCC
U.S. Continental Congress. *Journals of the Continental Congress, 1774–1789.* 34 vols. Edited by Worthington C. Ford and Gaillard Hunt. Washington: Library of Congress, 1904–37.

Madison, *Papers* (Hutchinson)
  Madison, James. *The Papers of James Madison.* Edited by William T. Hutchinson and William M. E. Rachal. Chicago: University of Chicago Press, 1962–.

McRee, *Iredell Correspondence*
  McRee, Griffith J. *Life and Correspondence of James Iredell, One of the Associate Justices of the Supreme Court of the United States.* 2 vols. New York: Appleton, 1857–58.

Md. Archives
  Archives of Maryland. Edited by William H. Browne et al. Baltimore: Maryland Historical Society, 1883–.

Morris, *Papers* (Ferguson)
  Morris, Robert. *The Papers of Robert Morris, 1781–1784.* Edited by E. James Ferguson et al. Pittsburgh: University of Pittsburgh Press, 1973–.

N.C. State Records
  North Carolina. *The State Records of North Carolina.* Edited by Walter Clark. Vols. 11–16. Winston and Goldsboro, N.C.: N. I. and J. C. Stewart et al., 1895–1914.

NHPRC
  National Historical Publications and Records Commission.

N.H. State Papers
  New Hampshire. *Provincial and State Papers.* 40 vols. Concord, 1867–1943.

NJHS Proceedings
  New Jersey Historical Society Proceedings.

NYHS Collections
  Collections of the New-York Historical Society.

OED
  Oxford English Dictionary.

Pa. Archives
  Pennsylvania Archives. 9 series, 119 vols. in 120. Philadelphia: J. Severns & Co., 1852–56; Harrisburg: State Printer, 1874–1935.

Pa. Council Minutes
  Pennsylvania. *Minutes of the Supreme Executive Council of Pennsylvania, from Its Organization to the Revolution.* 6 vols. [Colonial Records of Pennsylvania, vols. 11–16]. Harrisburg: Theo. Fenn & Co., 1852–53.

PCC
  Papers of the Continental Congress. National Archives and Records Administration. Washington, D.C.

Ramsay, *Writings* (Brunhouse)
  Ramsay, David. *David Ramsay, 1749–1815: Selections from His Writings.* Edited by Robert L. Brunhouse. Transactions of the American Philosophical Society, n.s., vol. 55, pt. 4. Philadelphia, 1965.

R.I. State Records
Rhode Island. *Records of the State of Rhode Island and Providence Plantations in New England.* Edited by John R. Bartlett. 10 vols. Providence: Cooke, Jackson & Co., 1856–65.

SCHGM
South Carolina Historical and Genealogical Magazine.

Sparks, *Diplomatic Correspondence*
Sparks, Jared, ed. *The Diplomatic Correspondence of the American Revolution.* 12 vols. Boston: N. Hale & Gray & Bowen, 1829–30.

Susquehannah Co Papers
Boyd, Julian P., and Taylor, Robert J., eds. *The Susquehannah Company Papers.* 11 vols. Ithaca, N.Y.: Cornell University Press, 1962–71.

Trumbull, *Papers* (MHS Colls.)
Trumbull, Jonathan, Sr. *The Trumbull Papers.* 4 vols. Massachusetts Historical Society Collections, 5th ser., vols. 9–10; 7th ser., vols. 2–3. Boston: Massachusetts Historical Society, 1885–1902.

Walton, *Records of Vermont*
Walton, E. P., ed. *Records of the Governor and Council of the State of Vermont.* 8 vols. Montpelier, Vt.: J. & J.M. Poland, 1873–80.

Washington, *Writings* (Fitzpatrick)
Washington, George. *The Writings of George Washington.* Edited by John C. Fitzpatrick. 39 vols. Washington: U.S. Government Printing Office, 1931–44.

Wharton, *Diplomatic Correspondence*
Wharton, Francis, ed. *The Revolutionary Diplomatic Correspondence of the United States.* 6 vols. Washington: U.S. Government Printing Office, 1889.

WMQ
William and Mary Quarterly. 3d series.

Acknowledgments

This edition began in 1970 as a project of the Library of Congress American Revolution Bicentennial Office, now incorporated into the Library's Manuscript Division as the Historical Publications Office. The Library has had a long tradition of publishing scholarship on the period of the American Revolution. Its monumental edition of the *Journals of the Continental Congress, 1774–1789* (34 vols., Washington, 1904–37) is a predecessor of the present work and will be a companion to it. The editors wish to thank the Ford Foundation for a substantial gift which has been indispensable to the progress of the edition. Our appreciation is also extended to the innumerable individuals who have contributed to enriching the holdings of the Library of Congress to make it the premier institution for conducting research on the American Revolution.

The photocopies of the more than twenty-two thousand documents that have been collected for this project have been assembled through the cooperation of several hundred institutions and private individuals devoted to preserving the documentary record upon which the history and traditions of the American people rest, and it is to their work that a documentary publication of this nature should ultimately be dedicated. Unfortunately, all the many contributors to this collecting effort cannot be adequately recognized, but for permission to print documents appearing in the present volume we are especially grateful to the following institutions: the American Philosophical Society, Archives du ministère des affaires étrangères (Paris), John Carter Brown Library, Chicago Historical Society, William L. Clements Library, Columbia University, Connecticut Historical Society, Connecticut State Library, James S. Copley Library, Cornell University, Daughters of the American Revolution, Historical Society of Delaware, Delaware Public Archives Commission, Duke University, Emory University, Harvard University, Haverford College, Henry E. Huntington Library, Indiana University, Jervis Library Association, Lehigh University, Maine Historical Society, Maryland Hall of Records, Maryland Historical Society, Massachusetts Archives Division, Massachusetts Historical Society, Pierpont Morgan Library, Morristown National Historical Park, Mystic Seaport, Inc., National Archives and Records Administration, New Hampshire Division of Archives and Records Management, New Hampshire Historical Society, New-York Historical Society, New York Public Library, New York State Library, University of North Carolina, Ohio Historical Society, Historical Society of Pennsylvania, Library Company of Philadelphia, Princeton University, Public Record Office (London), Rhode Island Historical Society, Rhode Island State Archives, Smithsonian Institution, South Carolina Historical Society, University of South Carolina, Virginia State Library, University of Virginia, Western Reserve Historical Society, College of William and Mary, and Yale University. And in addition we express our thanks and appreciation to Paul Mellon, Capt. J. G. M. Stone, and Mrs. Aileen Moore Topping.

This work has benefitted not only from Edmund C. Burnett's pathfinding 8-volume edition of *Letters of Members of the Continental Congress* but also from the generous cooperation of the editors of several other documentary publications with a common focus on the revolutionary era. From them the Library has borrowed heavily and to them it owes a debt it can never adequately acknowledge. It is a pleasure to give special thanks to the editors of the papers of John Adams, Benjamin Franklin, Thomas Jefferson, Henry Laurens, James Madison, and George Washington. Finally we owe thanks to the historians who served on the Advisory Committee on the Library's American Revolution Bicentennial Program, and especially to Mr. Julian P. Boyd, Mr. Lyman H. Butterfield, and Mr. Merrill Jensen, who generously acted as an advisory committee for the *Letters* project.

Paul H. Smith
Historical Publications Office
Manuscript Division

Chronology of Congress

September 1, 1781–July 31, 1782

September 3	Receives account of John Laurens' mission to France.
September 4	Directs Washington to investigate British treatment of prisoners.
September 5	Orders inquiry into Gen. Robert Howe's southern command.
September 7	Recognizes Philippe Letombe's appointment as French consul to New England; appoints Robert Morris agent of marine.
September 10	Recognizes Jean Holker's appointment as French consul to mid-Atlantic states; orders New Jersey and Pennsylvania militia call.
September 11	Adopts new treasury ordinance.
September 12	Places control of U.S. navy under the agent of marine.
September 13	Sets day of thanksgiving.
September 18	Orders retaliation for execution of Isaac Hayne; plans retaliation for enemy mistreatment of prisoners.
September 19	Orders Delaware militia call; appoints treasury officers.
September 20	Reorganizes hospital department.
September 21	Receives French minister's report on mediation offers and peace overtures.
September 24	Appoints William Irvine to Fort Pitt command.
September 25	Receives memorial from Spanish agent Rendon; issues reassurance to northern Indians.
October 1	Sets salaries for secretaries of war and marine.
October 5	Appoints Thomas Barclay consul to France; discharges Delaware and Pennsylvania militia.
October 11–12	Debates Yorktown campaign plans.
October 16–17	Debates exercise of Continental jurisdiction over claims within Virginia's western lands.
October 19	Reforms Post Office department.
October 23	Accepts Thomas McKean's resignation as president (to remain until new Congress November 5).

October 24	Receives news of Yorktown victory; observes "divine service (suitable to the occasion)" conducted by Chaplain George Duffield.
October 26	Adopts thanksgiving proclamation; rejects Virginia motion to curtail committee investigation of land companies' western claims.
October 29	Thanks American and French victors at Yorktown; thanks Gen. Nathanael Greene and southern army.
October 30	Appoints Gen. Benjamin Lincoln secretary at war; sets $8 million fiscal quota for 1782.
November 1	Endorses General Greene's plans to treat with Cherokee and Chickasaw Indians.
November 2	Apportions states' 1782 fiscal quotas; authorizes acceptance of quartermaster certificates in payment of quotas.
November 5	New Congress convenes; elects John Hanson president.
November 8	Authorizes Board of War to prosecute spies under the articles of war.
November 9	Restricts travel of Yorktown prisoners on parole.
November 12	Repeals resolve accepting quartermaster certificates in payment of quotas.
November 14	Urges states to maintain representation; sets date for hearing Connecticut-Pennsylvania boundary dispute.
November 20	Augments authority of secretary of marine.
November 23	Recommends that states legislate to punish violations of international law.
November 28	Holds audience with General Washington.
December 4	Adopts ordinance on "captures on water."
December 5	Receives New York protest against congressional resolves on Vermont.
December 10	Exhorts states to complete troop quotas.
December 11	Calls states to take census "of the white inhabitants thereof."
December 13	Observes day of thanksgiving.
December 17	Appeals to the states for men and money.
December 19	Orders placing supernumerary generals on half pay.
December 20	Authorizes exchange of Gov. Thomas Burke.
December 31	Adopts ordinance incorporating Bank of North America.
January 2	Exhorts states to suppress trade with the enemy.
January 3	Reforms medical department.

January 8	Amends ordinance on captures on water; rejects motion to enlarge peace ultimata.
January 9	Authorizes negotiation of consular convention with France.
January 10	Reforms inspector general's department.
January 17	Investigates suspicious Silas Deane letters on conciliating Britain.
January 22	Instructs peace commissioners to communicate informal demands on fisheries and boundaries.
January 25	Amends consular convention.
January 28	Enlarges duties of Secretary Charles Thomson to relieve president of Congress.
January 29	Advised of diminution of French aid.
February 1	Instructs Benjamin Franklin on repayment of Dutch loan obtained for United States by France.
February 8	Authorizes Franklin to borrow additional 12 million livres from France.
February 11	Authorizes export of tobacco to New York by Yorktown "capitulants"; rejects appeal to permit states to clothe own Continental troops.
February 18	Authorizes Washington to negotiate general prisoner exchange.
February 20	Seeks authorization to apportion war expenses in contravention of Articles of Confederation quota formula.
February 21	Authorizes establishment of a mint.
February 22	Reorganizes department of foreign affairs.
February 23	Authorizes exchange of Cornwallis for Henry Laurens.
February 26	Amends ordinance on captures on water.
February 27	Adopts plan for settlement of state accounts.
March 1	Sets conditions for recognizing Vermont independence.
March 7	Revises rules of Court of Appeals.
March 11	Orders settlement of *Bon Homme Richard* prize claims; refers Indian petition to New York.
March 15	Drafts fiscal appeal to the states.
March 19	Adopts fast day proclamation.
March 21	Holds audience with General Washington.
March 27	Orders study of Continental Army staffing needs.
March 30	Adopts measures for curtailing prisoner-of-war escapes.
April 1	Rejects fiscal quota reduction appeal.

April 3–4	Debates Vermont compliance with independent statehood conditions.
April 8	Revises paymaster regulations.
April 9	Orders submission of comprehensive army returns.
April 15	Rejects motion to elect a vice-president upon the disability of the president; elects Daniel Carroll "chairman" during the illness of President Hanson.
April 18	Rejects motion to require delegates to disclose conflicts of interest on land claim issues.
April 20	Debates Vermont compliance with independent statehood conditions.
April 23	Recommends pensions for disabled troops; orders reduction of supernumerary officers.
April 29	Endorses Washington's proposals for retaliation against the death of Joshua Huddy.
April 30	Endorses John Jay's conduct of negotiations with the court of Madrid.
May 1	Warns states of British plans to divide their enemies with proposals of separate peace; debates western land cessions and motion to disclose delegates' conflicts of interest.
May 4	Orders measures for the protection of American shipping.
May 8	Opposes sending William Carmichael to the court of Portugal.
May 13	Holds audience with French minister to celebrate birth of a dauphin.
May 14	Denies emissary of Sir Guy Carleton passport to Philadelphia.
May 21	Authorizes state authorities to curb trade with the enemy.
May 22	Sends delegations to states to solicit compliance with requisitions.
May 24	Reviews superintendent of finance report on status of U.S. credit abroad.
May 27	Exhorts states to maintain representation in Congress; instructs Francis Dana to delay presenting his credentials to the court of Russia.
May 28	Receives French report on peace overtures.
May 31	Reaffirms opposition to separate peace negotiations.
June 5	Orders study of proposal to enlist German prisoners of war.
June 7	Rescinds work-release program for British prisoners of war.

June 12	Revises regulations for naval courts-martial.
June 14	Endorses proposals for return of South Carolina exiles.
June 17	Calls for biannual inspection of the operation of the executive departments.
June 20	Adopts great seal for the United States in Congress assembled.
June 21	Exhorts states to curb trade with the enemy.
June 24–27	Debates proposals for resolution of the Connecticut-Pennsylvania boundary dispute.
June 27	Receives report from the congressional delegation to the southern states.
June 28	Endorses General Greene's rejection of truce proposal in South Carolina.
July 2	Endorses superintendent of finance recommendation against appointing consuls in the West Indies.
July 3	Complains against Spanish release of British prisoners of war.
July 10	Adopts ordinance regulating distribution of prizes.
July 11	Places moratorium on promotion or appointment of Continental officers.
July 17	Adopts ordinance to prevent illicit trade with the enemy.
July 18	Receives report from the congressional delegation to the northern states; orders measures to stop mail robberies.
July 23	Revises hospital department regulations.
July 31	Debates recommendation for acceptance of western land cessions as a preliminary to restoring the public credit of the United States.

List of Delegates to Congress

This section lists both the dates on which delegates were elected to terms falling within the period covered by this volume and the inclusive dates of their attendance. The former are generally ascertainable from contemporary state records, but the latter are often elusive bits of information derived from the journals of Congress or extrapolated from references contained in the delegates' correspondence, and in many cases the 'facts' are inevitably conjectural. It is not possible to determine interruptions in the attendance of many delegates, and no attempt has been made to record interruptions in service caused by illness or brief trips home, especially of delegates from New Jersey, Delaware, Maryland, and Pennsylvania living within easy access of Congress. For occasional references to such periods of intermittent service as survive in the correspondence and notes of various delegates, see the index under individual delegates. Until fuller information is provided in a consolidated summary of delegate attendance in the final volume of this series, the reader is advised to consult Burnett, *Letters*, 6:xliii-liii, for additional information on conjectural dates of attendance. Brief biographical sketches of all the delegates are available in the *Biographical Directory of the United States Congress, 1774–1989*, and fuller sketches of more than half of the delegates can be found in the *Dictionary of American Biography*.

CONNECTICUT

Andrew Adams
Elected: May 10, 1781
Did not attend in 1781 or 1782
Eliphalet Dyer
Elected: February 8, 1782
Attended: June 3 to July 31, 1782
Oliver Ellsworth
Elected: May 10, 1781; May 9, 1782
Did not attend September 1781 to July 1782
Benjamin Huntington
Elected: May 10, 1781; May 9, 1782
Attended: June 3 to July 31, 1782
Samuel Huntington
Elected: May 10, 1781; May 9, 1782
Did not attend September 1781 to July 1782

Richard Law
  Elected: May 10, 1781; May 9, 1782
  Attended: October 22, 1781, to May 16?, 1782

Jesse Root
  Elected: May 10, 1781; May 9, 1782
  Attended: May 7 to July 31, 1782 (on deputation to the eastern states, May 27 to July 15)

Roger Sherman
  Elected: May 10, 1781
  Attended: September 1 to November 3, 1781

Jedediah Strong
  Elected: May 9, 1782
  Did not attend Congress

Oliver Wolcott
  Elected: May 10, 1781; May 9, 1782
  Attended: November 16, 1781, to April 29, 1782

DELAWARE

Philemon Dickinson
  Elected: February 2, 1782
  Attended: February 22 to July 19, 1782

Thomas McKean
  Elected: February 10, 1781; February 2, 1782
  Attended: September 1 to November 3, 1781; February 14 to April 2, June 10? to July 31, 1782

Caesar Rodney
  Elected: February 2, 1782
  Did not attend in 1781 or 1782

Thomas Rodney
  Elected: February 10, 1781
  Attended: January 28 to February 8?, 1782

Nicholas Van Dyke
  Elected: February 10, 1781
  Did not attend September 1781 to July 1782

Samuel Wharton
  Elected: February 2, 1782
  Attended: February 25 to July 31, 1782

GEORGIA

William Few
  Elected: August 21, 1781; January 9, 1782
  Attended: May 1 to July 31, 1782

Richard Howly
  Elected: January 11, 1780
  Attended: September 1–21, 1781

Noble Wimberly Jones
Elected: August 21, 1781; January 9, 1782
Attended: September 27, 1781, to July 31, 1782
Samuel Stirk
Elected: August 31, 1781
Did not attend Congress
Edward Telfair
Elected: August 21, 1781; January 9, 1782
Attended: September 17, 1781, to July 31, 1782
George Walton
Elected: January 11, 1780
Attended: September 1–27, 1781

MARYLAND

Daniel Carroll
Elected: january 16, 1781; November 28, 1781
Attended: September 1, 1781, to May 9? 1782
Samuel Chase
Elected: November 28, 1781
Did not attend September 1781 to July 1782
John Hanson
Elected: November 17, 1780; November 28, 1781
Attended: September 1, 1781, to July 31, 1782
William Hemsley
Elected: June 15, 1782
Did not attend September 1781 to July 1782
Daniel of St. Thomas Jenifer
Elected: November 17, 1780
Attended: September 1 to November 5, 1781
Richard Potts
Elected: January 16, 1781
Did not attend September 1781 to July 1782
Turbutt Wright
Elected: November 28, 1781
Attended: April 29 to July 12? 1782

MASSACHUSETTS

Samuel Adams
Elected: June 22, 1781
Declined
Timothy Danielson
Elected: May 2, 1782; June 6, 1782
Did not attend Congress
Elbridge Gerry
Elected: June 22, 1781; June 6, 1782
Did not attend in 1781 or 1782

Nathaniel Gorham
Elected: May 2, 1782
Declined
Jonathan Jackson
Elected: May 2, 1782; June 6, 1782
Attended: July 3–31, 1782
James Lovell
Elected: June 22, 1781
Attended: September 1, 1781, to January 23, 1782; April 3–16, 1782
John Lowell
Elected: February 28, 1782; June 6, 1782
Attended: May 20 to July 31, 1782
Samuel Osgood
Elected: June 22, 1781; June 6, 1782
Attended: September 1, 1781, to July 31, 1782
George Partridge
Elected: June 22, 1781; June 6, 1782
Attended: September 1, 1781, to May 20, 1782
James Sullivan
Elected: February 28, 1782
Did not attend Congress
Artemas Ward
Elected: June 22, 1781
Declined

NEW HAMPSHIRE

Benjamin Bellows
Elected: January 19, 1781
Did not attend Congress
John Taylor Gilman
Elected: January 15, 1782
Attended: June 20 to July 31, 1782
Woodbury Langdon
Elected: December 29, 1781
Did not attend in 1781 or 1782
Samuel Livermore
Elected: January 19, 1781; December 29, 1781
Attended: September 1, 1781, to April 29, 1782
John Sullivan
Elected: January 19, 1781
Did not attend September 1781 to July 1782
Timothy Walker
Elected: January 15, 1782
Did not attend Congress

NEW JERSEY

Elias Boudinot
Elected: July 12, 1781; November 2, 1781
Attended: September 1 to November 9, 1781; January 8? to June 25? 1782
Abraham Clark
Elected: June 12, 1781; November 2, 1781
Attended: September 24, 1781, to July 31, 1782
Silas Condict
Elected: November 2, 1781
Attended: December 3, 1781, to May 9? 1782; June 25? to July 31, 1782
Jonathan Elmer
Elected: July 12, 1781; November 2, 1781
Attended: October 1–26? 1781; December 24, 1781, to January 9? 1782; April 8–19, 1782
William Churchill Houston
Elected: June 12, 1781; November 2, 1781
Attended: November 28 to December 14? 1781
John Witherspoon
Elected: June 12, 1781; May 30, 1782
Attended: September 1–12?; October 22?–27? 1781; June 12 to July 31, 1782

NEW YORK

Egbert Benson
Elected: October 26, 1781
Did not attend in 1781 or 1782
James Duane
Elected: September 12, 1780; October 26, 1781; July 22, 1782
Attended: September 1 to October 10, 1781; June 24 to July 31, 1782
William Floyd
Elected: September 12, 1780; October 26, 1781; July 22, 1782
Attended: November 23, 1781, to May 16? 1782
Alexander Hamilton
Elected: July 22, 1782
Did not attend in July 1782
Ezra L'Hommedieu
Elected: September 12, 1780; October 26, 1781; July 22, 1782
Attended: September 1 to October 8? 1781
Alexander McDougall
Elected: September 12, 1780
Did not attend September 1781 to July 1782

John Morin Scott
Elected: September 12, 1780; October 26, 1781; July 22, 1782
Attended: February 14 to July 31, 1782

NORTH CAROLINA

William Blount
Elected: May 3, 1782
Attended: July 22–31, 1782
Ephraim Brevard
Elected: July 12, 1781
Did not attend Congress
Benjamin Hawkins
Elected: July 14, 1781; May 3, 1782
Attended: October 4, 1781, to March 19? 1782
Samuel Johnston
Elected: July 12, 1781
Did not attend September 1781 to July 1782
Abner Nash
Elected: May 3, 1782
Did not attend September 1781 to July 1782
William Sharpe
Elected: July 12, 1781
Attended: September 1 to October 3? 1781
Hugh Williamson
Elected: May 3, 1782
Attended: July 19–31, 1782

PENNSYLVANIA

Samuel J. Atlee
Elected: November 23, 1780; November 21, 1781
Attended: September 1 to December 3? 1781; January 21? to July 12? 1782
George Clymer
Elected: November 23, 1780; November 21, 1781
Attended: September 1 to October 26?; December 4, 1781, to July 31, 1782 (on deputation to the southern states, May 31 to June 27)
Joseph Montgomery
Elected: November 23, 1780; November 21, 1781
Attended: September 13? 1781 to March 22, 1782; April 15? to July 31, 1782 (on deputation to the eastern states, May 27 to July 15)
Thomas Smith
Elected: November 23, 1780; November 21, 1781
Attended: September 1 to November 29, 1781; February 4 to July 31, 1782

Henry Wynkoop
Elected: November 23, 1780; November 21, 1781
Attended: November 28, 1781, to January 15? 1782; June 17? to July 1?; July 26?–31, 1782

RHODE ISLAND

Jonathan Arnold
Elected: May 1, 1782
Did not attend May to July 1782
John Collins
Elected: May 1, 1782
Did not attend May to July 1782
Ezekiel Cornell
Elected: May 2, 1781; May 1, 1782
Attended: November 19, 1781, to July 31, 1782
William Ellery
Elected: May 2, 1781
Attended: November 19, 1781, to June 6, 1782
David Howell
Elected: May 1, 1782
Attended: June 7 to July 31, 1782
Daniel Mowry
Elected: May 2, 1781
Attended: September 1 to November 16, 1781
James Mitchell Varnum
Elected: May 2, 1781
Attended: September 1 to November 16, 1781

SOUTH CAROLINA

Thomas Bee
Elected: February 1, 1780; October 4, 1781
Attended: September 1, 1781, to May 1, 1782
Nicholas Eveleigh
Elected: May 27, 1780; October 4, 1781
Attended: September 1, 1781, to March 22? 1782
John Lewis Gervais
Elected: January 31, 1782
Attended: July 1–5?; July 31? 1782
Ralph Izard
Elected: January 31, 1782
Attended: June 7 to July 31, 1782
Francis Kinloch
Elected: February 1, 1780; October 4, 1781
Did not attend in 1781 or 1782

Henry Laurens
Elected: February 1, 1780; October 4, 1781
Did not attend in 1781 or 1782
John Mathews
Elected: February 1, 1780; October 4, 1781
Attended: September 1 to November 5? 1781; December 5?–21, 1781
Arthur Middleton
Elected: February 1, 1780; October 4, 1781; January 31, 1782
Attended: September 24, 1781, to July 31, 1782
Isaac Motte
Elected: May 27, 1780; October 4, 1781
Attended: September 21? 1781, to April 3, 1782
David Ramsay
Elected: January 31, 1782
Attended: May 2 to July 31, 1782
John Rutledge
Elected: January 31, 1782
Attended: May 2 to July 31, 1782 (on deputation to the southern states, May 31 to June 27)

VIRGINIA

John Blair
Elected: June 14, 1781
Did not attend Congress
Theodorick Bland, Jr.
Elected: June 14, 1781; June 15, 1782
Attended: September 1 to October 11, 1781; April 15 to July 31, 1782
Joseph Jones
Elected: June 14, 1781; June 15, 1782
Attended: September 1, 1781, to May 1, 1782
Arthur Lee
Elected: December 29, 1781; June 15, 1782
Attended: February 19 to April 20, June 27 to July 31, 1782
James Madison, Jr.
Elected: June 14, 1781; June 15, 1782
Attended: September 1, 1781, to July 31, 1782
Edmund Randolph
Elected: June 14, 1781; June 15, 1782
Attended: September 1, 1781, to March 15, 1782

Illustrations

View of Philadelphia endpapers

"An East Prospect of the City of Philadelphia; taken by George Heap from the Jersey Shore, under the Direction of Nicholas Scull Surveyor General of the Province of Pennsylvania." This detail is from an engraving by Thomas Jeffreys based on an etching of the city published in Thomas Jeffreys, *A General Topography of North America and the West Indies. Being a Collection of All the Maps, Charts, Plans, and Particular Surveys, That Have Been Published of That part of the World, Either in Europe or America* (London: R. Sayer, 1768).

Arthur Middleton's Shorthand Draft Resolutions 90

During his 1781–82 term as a delegate, Arthur Middleton used a clerical shorthand in drafting dozens of letters, motions, resolves, memoranda, and notes in the discharge of his congressional duties. He had mastered, apparently while a law student at the Middle Temple in London, the system developed in the late 17th century by court stenographer William Mason, whose most popular publication was *La Plume Volante. Or, The Art of Short-Hand Improv'd* (London, 1707). Although a number of these cryptic documents were substantially deciphered in the 1950s by the Office of the Chief of United States Naval Operations, many remained a puzzle until identified, dated, and deciphered for the present work by Dr. Ronald M. Gephart. The approximately forty such documents prepared for this and the following volume of these *Letters* provide new insight into many of Middleton's committee assignments and principal areas of concern at this time. In rendering texts for these documents, abbreviated words and shorthand symbols have been expanded to make authorial intent as clear as possible, for which see the printed text given here with the illustration of Middleton's manuscript draft resolves.

From the Middleton Papers, South Carolina Historical Society.

George Partridge 104

Partridge (1780–1828) was born in Duxbury, Mass., educated at Harvard College, and kept a school until the eve of the revolution. He was elected in 1774 a captain of a Minute Man company and a member of the Massachusetts Provincial Congress, and in 1777 sheriff of Plymouth County, a post he held until 1811. In 1779 he was elected to a seat in Congress which he held until 1785, eventually becoming one of the most experienced congressional delegates, and he later served in the first Federal Congress before sustaining an injury in a stage-coach accident. Partridge held comparatively few committee assignments in Congress but was inclined to become involved in issues pertaining to military affairs and stood resolutely with his colleague Elbridge Gerry during the latter's dispute with Congress over a point of parliamentary privilege. He was also particularly interested in the resolution of the Vermont controversy and in the superintendent of finance's proposals for permitting states to retire old emission bills at the ratio of 40 to 1 to meet their fiscal quotas.

"From a Cabinet Portrait," from Clarence W. Bowen, *The History of the Centennial Celebration of the Inauguration of George Washington as First President of the United States* (New York: D. Appleton and Co., 1892).

John Hanson 180

Hanson (1721–83), a native of Charles County, Md., represented that county in the Maryland Assembly almost continuously from 1757 to 1773, when he moved to Frederick County. There he became a leader in the protest movement against Britain, serving as a member of several revolutionary committees and conventions, and representing Frederick County in the assembly until he was sent as a delegate to Congress in 1780. Instructed to maintain Maryland's opposition to ratification of the confederation until various large states relinquished claims to their western lands, Hanson worked to force Virginia's cession of its extensive western claims and signed the Articles of Confederation when the document was ratified March 1, 1781. Highly regarded as a delegate, Hanson was elected president of Congress at the opening of the new Congress on November 5, 1781. A somewhat reluctant president, Hanson was conspicuously less interested in administrative routine than his predecessors, and obtained passage of a congressional resolution on January 28, 1782, diverting much of the administrative burden of the presidency to Secretary Charles Thomson. Upon the expiration of his presidency in November 1782, Hanson retired from public life and died the following year at Oxon Hill, Prince George's County.

Painting by Charles Willson Peale. Independence National Historical Park Collection.

Edmund Randolph 185

Randolph (1753–1813) was born near Williamsburg into a family of prominent Virginia attorneys, attended the College of William and Mary, and studied law with his father, the king's attorney for Virginia. When his father chose the side of the crown in 1775, young Randolph was taken into the home of his distinguished uncle, Peyton Randolph, and soon demonstrated his patriot colors by serving as aide-de-camp to General Washington. Following his uncle's death in October 1775, Randolph returned home to become the youngest member of the Virginia convention that adopted the state's new constitution, under which he became attorney general. Randolph was elected to Congress in 1779, 1781, and 1782, but from time to time had to cut short his congressional activities to return to his duties in Virginia. He was later elected governor in 1786 and a delegate to the convention that drafted the federal constitution in 1787, a document which he refused to sign. He was appointed Washington's first attorney general before eventually succeeding Jefferson as secretary of state in 1794. In Congress Randolph supported the 5 percent impost, conspicuously championed Virginia interest concerning western lands and navigation of the Mississippi River, urged measures to blunt the southern incursions of Lord Cornwallis, and later wrote a *History of Virginia* that remains an important source for the study of early American history.

Painting by Constantino Brumidi. Architect of the Capitol of the United States. LC–USA7–25908.

William Floyd 236

Floyd (1734–1821), a native of Long Island, was a general of Suffolk County militia and fled with his family to Connecticut when the British occupied New York in 1776. He was a delegate to Congress in 1774–76, a signer of the Declaration of Independence, and a member of the New York Senate, 1777–88. He returned to Congress intermittently from 1779 to 1783, serving on numerous committees and as a member of the boards of both admiralty and treasury. He was a proponent of New York's interests against Vermont, and he was also conspicuously concerned about Connecticut's authorization of raids against Long Island resulting in the indiscriminate confiscation of the property of patriots and loyalists alike, which New York protested vigorously to Congress in July 1781. Floyd was a member of the first Federal Congress, 1789–91, but was defeated in his bid for reelection, as well as in his candidacy for the post of New York lieutenant governor in 1795. He was a presidential elector in 1792, 1800, and 1804. At the age of 69 he moved to lands on the headwaters of the Mohawk River and lived out his years as a pioneer developer of a tract that later was included in Oneida County. Floyd's sister Charity was married to his fellow New York delegate Ezra L'Hommedieu, and his daughter Catherine was briefly engaged in 1783 to James Madison.

Painting by Ralph Earl. Independence National Historical Park Collection.

Charles Gravier, comte de Vergennes 301

Vergennes (1719–87) was a veteran French diplomat, with assignments at Lisbon, Coblenz, Constantinople, and Stockholm before he was appointed secretary of state for foreign affairs by Louis XVI upon his ascension to the throne in 1774. Vergennes felt keenly France's humiliation during the Seven Years' War, and made the recovery of French power and prestige at Britain's expense the cornerstone of French foreign policy. The revolt of Britain's American colonies in 1775 therefore presented a welcome opportunity, and after funneling secret aid to the Americans for over a year he finally consented to a Franco-American alliance in February 1778. He subsequently worked to draw Spain and the Netherlands into the conflict with Britain and encouraged the neutral powers in forming a League of Armed Neutrality to undercut British naval power. He also succeeded in having the American plenipotentiaries instructed to accept his leadership in future peace negotiations, while maintaining cordial relations with Benjamin Franklin, but he acquiesced when the commissioners failed to keep him informed of their talks during preliminary negotiations in 1782 when it appeared that they had remained true to their pledge not to accept a separate peace.

Oil on canvas, artist unidentified. Musée National du Château de Versailles.

Samuel Osgood 347

Osgood (1747–1813) was born in Andover, Mass., was educated at Harvard College, and briefly operated a store with a brother before entering public life. He was a member of several revolutionary committees, conventions, and congresses in 1774–75, became a brigade major and aide-de-camp to Gen. Artemas Ward, 1775–76, and resigned from the army in 1776 to represent Andover in the Massachusetts House of Representatives, to which he was reelected in 1779 and 1780. Osgood was also a member of the Massachusetts constitutional convention of 1779, was elected to the first Senate chosen under the state's new constitution, and was elected to Congress in 1781 for the first of three consecutive terms. In Philadelphia Osgood became especially interested in fiscal issues, worked to curtail Continental expenses even at the risk of antagonizing military friends, and succeeded in getting himself elected to the board of directors of the Bank of North America. He also became increasingly suspicious of the power of the southern states and of the threat to republican principles posed by the financial power of Philadelphia and Robert Morris, and was appointed a treasury commissioner in 1784 when the superintendent of finance resigned and the treasury was placed in commission. When Congress moved to New York in 1785, Osgood quickly developed new ties and interests, married the widow of a wealthy Quaker merchant, and was appointed postmaster general by President Washington in 1789. He chose to resign the position in 1791 when the government moved to Philadelphia, however, and was subsequently elected to the New

York House of Representatives as a Jeffersonian Republican in 1800 and 1802 and appointed naval officer for the Port of New York in 1803.

Painting by Constantino Brumidi. Architect of the Capitol of the United States. LC–USA7–25907.

Arthur Middleton 356

Middleton (1742–87) was born near Charleston, S.C., and was educated in England, where he studied law at the Middle Temple, returning to South Carolina in 1763 to be elected a justice of the peace and a member of the assembly within a year. But his public career was interrupted when he took his family to England for an extended stay, 1768–71, before he emerged as a leader of the opposition to Britain as a member of the assembly and various revolutionary committees and conventions from 1772 to 1776. Elected to Congress in 1776, Middleton was a signer of the Declaration of Independence and served during most of 1777. Although reelected annually from 1776 to 1782, he did not return to Congress until September 1781 for a final term of thirteen months. He had been present at the capture of Charleston in May 1780 and was imprisoned at St. Augustine until exchanged in July 1781. During his final term in Congress, Middleton strongly opposed efforts to exchange Lord Cornwallis while supporting proposals to retaliate for enemy cruelties. He became particularly interested in the resolution of the Vermont controversy, and frequently concerned himself with the problems of the South Carolina exiles in Philadelphia. Returning to private life in October 1782, he devoted himself to repairing the damages to his estate exacted during the British occupation of South Carolina.

Engraving by James B. Longacre after a drawing by T. Middleton. Prints and Photographs Division, Library of Congress. LC–USZ62–33019.

John Rutledge 698

Rutledge (1739–1800) was born in Charleston, S.C., studied law at the Middle Temple and was admitted to the English bar in 1760 before returning home to a public career which saw him quickly occupy a number of powerful positions. He was elected to the South Carolina Assembly at age 22, represented the province in 1765 at the Stamp Act Congress, and was a member of the various provincial bodies that led the opposition to British policies until the outbreak of the revolution. He represented South Carolina at both the First and Second Continental Congresses, 1774–75, was one of the authors of the state's new constitution of 1776, and was the first governor to assume office under it. He resigned the post in 1778 to protest the substitution of a popularly elected senate for a legislative council appointed by the house, but he was reelected governor in 1779 and was granted emergency powers in 1780 to direct the state's struggle against enemy invasion in 1780–81.

Rutledge was elected to Congress again in 1782 and 1783, to the South Carolina chancery court in 1784, and to the Constitutional Convention in 1787. He was appointed by Washington to the first United States Supreme Court before becoming chief justice of the supreme court of South Carolina. In Philadelphia this conservative aristocrat worked tirelessly to promote measures for the liberation of South Carolina and led the advocates for retaliation against enemy cruelties inflicted upon both civilians and prisoners, including the celebrated cases involving Isaac Hayne and Joshua Huddy.

Painting by John Trumbull. Yale University Art Gallery.

LETTERS OF DELEGATES TO CONGRESS

18

September 1, 1781–
July 31, 1782

James Lovell to John Adams

Sir
Philadelphia 1 Sep 1781

Enclosed you have some important instructions passed in Congress upon the 16th of last Month.[1] They will probably reach you first th[r]ough our Minister at Versailles an opportunity to France having earliest presented itself. Should that not be the case, you will be careful to furnish copies to Doctor Franklin and Mr Jay. I remain &c.
Signed James Lovell

FC (DNA: PCC, item 79). In a clerical hand.

[1] For Congress' August 16 instructions to Adams for negotiating an alliance with the United Provinces of the Netherlands, envisioned as an element of a possible triple or quadruple alliance with France and perhaps Spain, see *JCC*, 21:859, 876–80; and Thomas McKean to La Luzerne, August 20, 1781. The originals of Adams' instructions and commission—endorsed by him "Instructions of Aug. 16. Holland" and "Commission of 16 August 1781, to negotiate a triple or quadruple Alliance"—are in the Adams Papers, MHi.

William Sharpe to George Washington

Sir
Philadelphia Sepr. 1st, 1781.

I beg leave to call the attention of your Excellency for a moment to the State of North Carolina respecting a quantity of arms which I conceive essential for her immediate defence.

On the 26th of April last Congress gave the following order, "That the board of war cause the rampart muskets in their possession to be repaired and forwarded with all possible dispatch to the executives of Virginia and North Carolina a quantity not exceeding two thousand to each State charging to the said States respectively the value of the muskets with the expence of repairing and transporting them."[1]

As Virginia was soon after invaded by a large body of the enemy, the first of those arms that could be repaired were sent to that state, which enabled her to support the Marquis so effectually as to oblige the enemy to retreat from the upper country. The remainder of the old arms required so much repairing that it was impossible to get those intended for North Carolina forwarded as soon as could be wished.

About three weeks ago, when it was reported that Lord Cornwallis intended to come up the bay to Baltimore, on a request of the

Govr. of Maryland, five hundred of those arms intended for North Carolina were immediately sent down to Baltimore for the defence of that State.

There are now near one thousand muskets and I believe fifteen hundred cartouch boxes and a quantity of fixed amunition ready for transportation to North Carolina. On the application of Genl. Knox, the board of war reported and Congress concurred therewith yesterday that those arms should be forwarded to the southern army and be subject to the disposal of the Commander in Chief or the commanding officer of the Southern department, the order of the 26th of April notwithstanding.[2]

North Carolina is so destitute of arms, the causes of which need not now be enumerated, that she is not able to arm one third of the new levies raised in the state, nor can she arm her militia to any considerable amount.

The order of the 26 of April with all the ulterior proceedings and stages of this business have been accurately communicated to the State by her delegates here and it has reason to expect those arms &c are, by this time on the way.

Your Excellency will therefore easily conceive how painful and disagreeable the resolution of yesterday will be when the government is informed of it.

I have thought it my duty to inform you of these circumstances and beg leave to add, an assurance that myself and the State which I have the honor to represent have entire confidence in your abilities and disposition to support and defend every State in the union.

With the highest respect & esteem, I have the honor to be, Your Excellencys Most Obedient Humble Servant, Wm. Sharpe

RC (DLC: Washington Papers).

[1] *JCC*, 20:450. See also the Virginia Delegates' Memorandum and Virginia Delegates to Thomas Jefferson, April 27, 1781.

[2] See *JCC*, 21:923–25. See also Benjamin Hawkins to Henry Knox, November 13, 1781, note.

James Madison to Edmund Pendleton

Dear Sir Philada. Sepr. 3d. 81.

I am favored with yours of the 27th ultimo.[1] This letter will be the most agreeable of any I have long had the pleasure of writing. I begin with informing you that the Commander in chief and the Ct. Rochambeau, the former with a part of the American Army, and the latter with the whole of the French are thus far on their way for the Southern Department. The American troops passed through the Town yesterday. The first division of the French today. The 2d will pass tomorrow. Nothing can exceed the appearance of this Specimen which our ally has sent us of his army, whether we regard the figure of the men or the exactness of their discipline.[2]

Yesterday also arrived from his Special Mission to the Court of France Col. John Laurens. Although his success has not been fully commensurate to our wishes, he has brought with him very *substantial* proofs of the determination of that Court to support us. Besides a considerable quantity of Cloathing, & other valuable articles, there are upwards of 16,000 Stand of Arms. It is rather unlucky that they found it expedient to put into Boston instead of this place from Whence the distribution of them would have been so much more easy.[3]

I wish I could have concluded the intelligence without adding that Admiral Hood with 13 Sail of the line from the West Indies lately arrived at New York and after being joined by Greaves with 8 Ships put again immediately to sea. The French squadron under de Barras had previously sailed from New Port. As the expected arrival of de Grasse from the W. Indies could not be unknown to Hood, there is li[ttle] doubt that his activity is directed against the Junction of the two F. fleets. Not a word as yet of the Congress at Vienna.

I am Dr. Sir, Yrs. sincerely, J. Madison Junr.

[*P.S.*] I hope the issue of this campaign will compel England to a more active concurrence in the pacification, than she could be expected [*to*] give whilst the ideas of the American Secretary prevailed in her Councils.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 3:247.

[1] See ibid., pp. 233–35.

[2] Washington and Rochambeau had arrived in Philadelphia "on their way for the Southern Department" on August 30. For the reception accorded the allied armies by Congress and local officials during the following week, see the *Pennsylvania Journal* of September 8, and the *Pennsylvania Packet* of September 5, 8, and 12. See also Thomas McKean to Rochambeau, September 4, 1781.

[3] John Laurens, who had arrived in Boston on August 25 aboard the French frigate *Resolue*, brought with him 2.5 million livres in specie and two transports filled with military supplies. Reaching Philadelphia the evening of September 2, he submitted his report to Congress this day with "sundry papers" relating to his negotiations in France. They were referred to a committee consisting of James Duane, John Mathews and Edmund Randolph, which recommended on September 4 that "all the clothing, artillery, arms and military stores" be consigned to the Board of War, and that "all the money shipped by the order of Mr. Laurens" be delivered to the superintendent of finance. See *JCC*, 21:928–29, 932. For Laurens' correspondence while envoy to France, see the *South Carolina Historical and Genealogical Magazine* 1 (January–October 1900): 13–41, 136–53, 213–22, 311–22; 2 (January–April 1901): 27–43, 108–25. For his September 2 report to Congress with invoices and manifests listing clothing, supplies, and artillery stores drawn from French magazines, see PCC, item 165, fols. 137–254.

Theodorick Bland to St. George Tucker

Dr. Sr. Philadelphia, Septr. 4th 1781

I have only just time to inform you that Col. Laurens Jr. is returnd from his Embassy to the Court of Versailles accompanied with three transports laden with an immense Quantity of Military Stores, Cloathing & Specie, the Loan and Subsidy of our Great & good ally, that there is now in this Place on their Way to Succour effectually our distressd Country a very large detachment from the Allied Army commanded by Genl. Washington & the Count de Rochambeau in person, you will excuse my enlarging on the Subject and its consequences—which promise every thing we can wish or desire. I hope we shall not set Cross leged & think there is no further need of exertion in Council or in the field. God Bless you all & believe me Yr. Sincere & affecte Friend, Theok. Bland

RC (ViW: Tucker-Coleman Papers).

Daniel Carroll to Thomas Sim Lee

My Dear Sir, Philadelphia Sepr. 4th. 1781

Your favors of the 30th. & 31st came to hand. Mr. Buchanan not yet come to Town. I shall do what you desire with the letters.

Generals Washington & de Rochambau have been in Town for some days past. The French troops, and part of the American Army are moving to the Southward, the last division will pass thro' Town this day. Sr. Saml. Hood arriv'd off the Hook, and, it is said, saild again in Conjunction with Graves (21 Ships of the line) last Friday. It is likewise said Barras left Newport the 25 Ulto. If he joins de Grass the British fleet must take shelter in some port, or leave these seas. De Grass is superior alone to the British if he has met with no loss. A Charles Town paper mentions a severe gale of wind abt. the 10 or 12th Ulto.; it may have been a hurricane further South. Much depends at this moment on the operations at Sea on our Coast.

It gives me particular pleasure to have it in my power to inform you of the arrival of Young Col Lawrense at Boston in a frigate with two Store Ships loaded for the U.S. He had a very long passage, havg left Brest the first of June. I know your anxiety about cloathing, and arms. I cannot at present inform you of the particulars arrivd—they are Considerable—& measures are persuing to have them brought this way, without their being opend. The safe arrival of Col. Lawrense was of very great Consequence—he came to Town the night before last. Present me to your Lady. Yrs. Dr. Sr. Affectionately,

Danl. Carroll

RC (NN: Emmet Collection).

Samuel Livermore to Meshech Weare

Dear Sir, Philada Sept. 4 1781.

You have been informed before this time that the plan of the present campaign is changed from New York to the southern states. I suppose this change arose from intelligence recd. from Count de Grasse who is now every moment expected in Chesapeake bay. Genl Washington is here & a large division of the army dayly passing thro. I had yesterday the pleasure to see the first division of the French. They marched through Front & Chesnut streets by the state house and so out to the common where they encamped. The members of Congress were at the door of the state house and recd. from the officers of the army as they passed a royal salute. The ceremony on their part was to let fall the point of the sword, likewise the colours, and the members of Congress took off their hats. The engaging figure and behaviour of the officers of all ranks, their dress, the cavalry, musick, arms, artillery, the figure & behaviour of the privates, and the uniform motion of the whole, afforded the most pleasing prospect of the kind I ever saw.

I need not inform you of the return of Col Lawrence from France by way of Boston, his exertions have been great & Successfull. Our supplies from France this year amount to 20 million livers, 6 million whereof is a donation, the remainder lent us. Some of this is arrived in cash some in clothing & warlike stores, and some drawn for, and to be drawn for, in bills [of] Exchg. This will do something better than our old conti. 'Tis sometime since I heard from you; dont forget me.

Your friend & most obedient humble servt,

Samuel Livermore

[*P.S.*] I had the pleasure of seeing Genl Hazzen, Col Dearburn & Mr Gilman of Exeter on their way through the city.

When Col Lawrence took leave of the king of France he was p[r]esented with a gold box, with the kings portrait, set round with brilliants, the most beautifull box I ever saw.

RC (MHi: Weare Papers).

James Lovell to Abigail Adams

Aug. [*i.e.* September] 4th. 1781[1]

Supposing Col. Laurens to have arrived at Rh. Island I was greatly chagrined when he told me he had no Letters for you; and I was searching his papers to pick from them all the Comfort I could, to be transmitted to Braintree, when I found he had landed at Boston & had sent you a Message of what Satisfaction he could furnish relative to your dear Partner & your Children. What I told you from *Mason* was indubitably true being all in the Train of natural Consequence to what is now communicated to us.[2]

We are, at this present Writing, in high Glee with our General in the City & the french Troops encamped on the Commons, and with the Log Book of a Vessel this Afternoon, putting the highest probability of compleat Success upon the present military Movements. I want only my Spectacles which are left at the State House to make me quite happy by enabling me to prosecute the pleasing Task of Correspondence with *one of* the ——est and ——est & ——est Women. I am sure Madam there is nothing of Flattery or *im*proper Affection in those half written Epithets though they partake of the superlative Degree. I am equally sure that the Spirit of Misinterpretation of any one of your Circle can find no Malice there: It is impossible for a single Heart in this City to feel malicious while the Bells are so sweetly chiming—always however excepting the Hearts of the Tories.

JL

[*P.S.*] Your Letter of July 20 / Aug. 6 reached me yesterday.[3]

RC (MHi: Adams Papers). Adams, *Family Correspondence* (Butterfield), 4:208.

[1] Although dated "Aug" by Lovell, this letter was undoubtedly written on September 4, when the American and French military forces marched through Philadelphia on their way to Virginia.

[2] For the letter delivered by Captain Mason referred to here, see Lovell to Abigail Adams, August 24, 1781.

[3] See Adams, *Family Correspondence* (Butterfield), 4:184–86.

James Lovell to Elbridge Gerry

Dear Sir, Aug. [*i.e.*, September] 4. 1781[1]

On the 1st I recd. your too obliging Letter of July 30th. I am chagrined at your Proposition I must however fall in with it *at present* reserving to myself the Right of paying all final Damages. I ought rather to state it that I must accept a Loan of the Amount of 141 *now* because I am persuaded that the other will do better under Lock & Key than any other Way treated; It will certainly do well.

Mr. ———[2] is happy in having at Length two Letters from you tho he is not without some little Chagrin at the Degrees of Disappointment which the Wheel of Fortune has turned up. Sperat meliora. Yesterday yr. Favor of Aug. 21 reached me. I have written to Mr. Gibson.[3] His Answer must reach you by a private Hand.

We are all smiling here and in not a little joyous Bustle—the Troops of our good Ally encamped on the Commons—Col Laurens giving a very favorable Account of his proceedings in France and bringing *solid* Proofs to his narrative—the Log Book of a Vessel produced this afternoon which puts our military movements nearly beyond the Point of Risque. I will be more particular on all Heads by the first private Conveyance.

Yr. obliged Friend, JL

RC (MHi: Gerry-Knight Collection).

[1] Although Lovell wrote "Aug. 4," the contents of the letter clearly indicate that it was written on September 4.

[2] Not identified.

[3] Not found.

Thomas McKean to Arthur Lee

Sir, Philadelphia. September 4th. 1781.

I had the pleasure of receiving your favor of the 26th of last month yesterday, and am very sorry for the distresses of Virginia, tho' the ardour and unanimity of the people promise that they will not long continue.

Long ere this I flattered myself that I should have heard of the Count de Grasse and Count de Barras having entered the Chesepeake with thirty-four ships of the line, and several frigates, bomb-ketches & other armed vessels. They sailed for that Bay long ago, with a considerable body of land forces, and a company of sappers and miners, having every apparatus on board for attacking fortifications. This you may depend upon. General Washington, with the whole French Army, and a large detachment of Americans are in full march for your relief; the last division passed thro' this city to day.

Colo. Laurens came to town yesterday from Boston, where he arrived in the French frigate Resolution,[1] accompanied with two others loaded with arms, ammunition & cloathing, on the 25th of August. Besides these important supplies, all for the United States, he has brought with him a large sum in specie, almost equal to our wishes. The Court of France have really exerted themselves far beyond any thing done heretofore, and have given full proof how much they have our Independance at heart. In a few weeks more, I trust I shall have it in my power to mention additional evidences of their most faithful attachment: The King has written a very friendly letter to Congress, and presented their special Minister Colo. Laurens with an elegant gold box, having his picture in the lid, ornamented with diamonds &c., nearly resembling the one you had the honor of receiving.

On Saturday last, about one o'clock P.M., Sir Samuel Hood, with 22 ships of the line was seen, about 25 miles Southward of Shrewsbury, steering to the Southward; I suppose for Chesepeake. In all probability we shall soon hear of a Sea Engagement. We are at the eve of great events; may God grant them to be prosperous to us, and that they may terminate in securing to us peace, liberty and safety.

I have the honor to be, Sir, with the most respectful personal attachment. Your most obedient, humble servant,

Tho M:Kean[2]

RC (PPAmP: Lee Family Papers).

[1] That is, the 32-gun frigate *Resolue*.

[2] In Burnett's edition of *Letters*, this entry is followed by another letter of the same date from McKean to Richard Henry Lee, which is cited as an extract taken from "R.H. Lee, *Life of Richard Henry Lee*, II.176." The letter to Richard Henry is, however, actually one of March 25, 1780, which Burnett also printed under its proper date. Its appearance a second time at this point is inexplicable. See Burnett, *Letters*, 5:94–96, 6:206; and these *Letters*, 14:545–46.

Thomas McKean to the Chevalier de La Luzerne

Sir, Philada September 4th. 1781

An Act of Congress of the 31st last month was just now sent to me by the Secretary of Congress, which I have the honor to inclose for your Excellency.

As soon as Mr De l'Etombe's Commission is presented the necessary papers shall be made out for him.[1]

I am Sir &c, T. McK. Prest.

LB (DNA: PCC, item 16).

[1] The enclosed congressional resolve of August 31 concerning the recognition of Philippe-André-Joseph de Létombe as "consul-general of France, in the four New England states," was adopted in response to a memorial from La Luzerne of August 23. See *JCC*, 21:896, 925–26; PCC, item 95, 1:288–91; and Wharton, *Diplomatic Correspondence*, 4:658–59. In response to this resolve, La Luzerne submitted a copy of Létombe's commission on September 7, which Congress ordered to be registered the same day. McKean subsequently sent copies of this September 7 order to the executives of New Hampshire, Massachusetts, Rhode Island, and Connecticut on September 10, and to La Luzerne on September 21. See *JCC*, 21:940–41; PCC, item 16, fol. 74; and McKean to La Luzerne, September 21, 1781.

Thomas McKean to the Comte de Rochambeau

Sir, Philadelphia September 4. 1781.

I have the honor to express to your Excellency the satisfaction of Congress in the compliment which has been paid to them by the Troops of his most Christian Majesty under your Command.[1]

The brilliant appearance and exact discipline of the several Corps do the highest honor to their Officers, and afford a happy presage of the most distinguished services in a cause which they have so zealously espoused.

I have the honor to be, with sentiments of the highest respect, Your Excellency's, Most obedient & most humble Servant,

Tho M:Kean President

RC (Paul Mellon Collection, Upperville, Va., 1975).

[1] For a description of this "compliment" to Congress, a "royal salute" to the delegates by Rochambeau's troops on their passage by the State House during their march through Philadelphia, see Samuel Livermore to Meshech Weare, this date

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Thomas McKean to George Washington

Sir, Philadelphia. September 4th. 1781

I have the honor to inclose to your Excellency an Act of Congress in answer to your letter of this day,[1] and am, with the greatest respect, Sir, Your most obedient humble Servant,

Tho M:Kean President[2]

RC (DLC: Washington Papers). In a clerical hand and signed by McKean.

[1] In this letter Washington had asked for instructions "relative to sending an officer to inspect the situation of the prisoners" at New York, to which Congress responded by empowering Washington "to act in this matter as he shall think most conducive to the public interest." See *JCC*, 21:930; PCC, item 152, 10:229–32; and Washington, *Writings* (Fitzpatrick), 23:83–84.

[2] McKean also sent a second letter to Washington this day, enclosing "An Act of Congress of the 31st last month . . . just now sent to me by the Secretary of Congress," which ordered the Board of War to forward to the southern army "all the repaired arms in the city of Philadelphia, to be disposed of as the Commander in Chief shall think proper." See *JCC*, 21:922–25; and PCC, item 16, fol. 71.

Rhode Island Delegates to William Greene

Sir, Philadelphia 4th September, 1781.

Yesterday the American Troops detached From the main Army, marched from hence on their Way to Virginia. The French Army is now here, & will move tomorrow. The Objects of there Movements are immence, and should Circumstances prove as favorable as we have Reason to expect, the Event will be glorious. The Fleet under Count de Grasse is hourly expected. The British have sailed from the Hook with Twenty one Sail of the Line, supposed for the Chesepeak; This makes us somewhat anxious for Count de Barras. Colo. Lawrence has returned from France; And we have the Satisfaction of informing your Excellency that his Negociations have been attended with a Degree of Success, fully evincive of the sincerest Attachments of his most Christian Majesty. The Aids obtained by this Negociation, will greatly assist us in establishing our Finances upon a reputable Basis. We are very desirous of knowing the Resolutions of the State relative to the Duty upon Imports and Prizes.[1] Had the States readily adopted that Measure, we should, before this Time, have derived more than a hundred Thousand Dollars Specie by this Time. One has arrived in this City which would have paid upward of seven Thousand Pounds this Currency. When we ass[ure] you that not a Farthing of Money has been paid in the General Treasury from any of the States, excepting [Penn]sylvania, for more than a year Since, you will agree [with] us that permanent Revenues are absolutely necessary.

We have the Honor of being with the greatest Esteem, your Excellency's most obedt. & very humble Servants. Danl. Mowry

JM Varnum

RC (R-Ar: Letters to Governors). Written by Varnum, and signed by Varnum and Mowry.

[1] For Rhode Island's hesitancy to adopt the five percent Continental impost, see Governor Greene's November 3 explanation to the superintendent of finance in Morris, *Papers* (Ferguson), 3:138.

William Sharpe to Nathanael Greene

My dear Genl. Philadelphia Sepr. 4th. 1781.

I have received your favour of the 28th of July by Major Burnet and will pay every mark of attention to that young gentleman.

You will doubtless be informed by the commander in chief of the change in the northern system of military operations. There is nothing wanting to finish a fine prospect, but the safe arrival of comte de Grasse, the announcing of which we wait with great anxiety.

Colo. Laurens has arived from France and brought to Boston sixteen thousand eight hundred stand of arms, materials for near ten thousand suits of cloaths—a considerable quantity of military stores, medicines &c. He has also obtained and brought from the coffers of our ally a considerable sum of solid coin, which under the direction of Mr. Morris will give vigor to our military operations. All my aid and industry will be used to furnish you and your little distressed army with some necessaries as soon as possible.

If the naval operations of our ally should prove successful this campaign we have every thing to hope and nothing to fear. I wish the several states could be impressed with the necessity of preparing for a vigorous prosecution of the war for a number of campaigns yet to come as the most effectual way to obtain a speedy and honorable peace.

I hope to set off from this place on my way homeward on the first of next month.[1]

I shall ever entertain a lively sense of your labors and sufferings and that of your army in the southern department and the very essential services which you have rendered the injured and distressed southern states.

With the most sincere respect and esteem I have the honor to be, My dear general, Your most obedient Humble Servt.

Wm. Sharpe

RC (PHi: Jenkins Collection).

[1] See Sharpe to Thomas McKean, October 1, 1781.

Roger Sherman to Oliver Ellsworth

Sir, Philadelphia Septr. 4th, 1781

Col. John Lawrence arrived here Yesterday from France—he accomplished the business he was charged with to good satisfaction.[1] He designs now immediately to joyn the army. He has obtained clothing for the army and about 13000 muskets and a considerable quantity of Military stores, besides a Sum of Money—Near two million Livres is arrived. The French army passed thro' this city yesterday toward Virginia. Congress has passed a resolution to put the Navy under the direction of an agent who is allowed one Clerk. The Agents Salary 1500 dollars a year.

I dont learn that Col. Lawrence brings any news respecting the politics of Europe. I hope to hear from you by the next Post.

I am Your very humble Servt. Roger Sherman

RC (Congregational Library, London: Sprague Collection. On deposit at Dr. Williams's Library, London, 1987).

[1] For Laurens' arrival in Philadelphia and report to Congress on his mission to France, see James Madison to Edmund Pendleton, September 3, 1781, note 3.

Roger Sherman to Jonathan Trumbull, Sr.

Sir Philadelphia 4th Sepr. 1781

General Washington & General Rochambeau are now in this city, and the French Army pass'd through the city yesterday, on their way to Virginia.

Col. John Lawrence also arrived in Town Yesterday. It is about 80 days Since he left France, he was very expeditious & Successful in accomplishing the business with which he was charged. He has obtained a Sum of money, and a considerable quantity of clothing for the Army, and military Stores, among which are about 13,000 Muskets, part of which is arrived. He brings No News respecting the politics of Europe. The latest accounts from General Green are contained in his Letter of the 26th of July, published in this day's paper, which is Enclosed.[1] The Superintendant of Finance is making arrangements to Save expence. The Board of Admiralty & the Navy Boards are to be abolished, and the remains of the Navy is to be managed by an Agent, with a Salary of 1500 dollars per annum, who is allowed one Clerk with a Salary of 500 dollars. The Board of Treasury & Chambers of Accounts are also to be abolished, And a Controller & a Suitable number of Auditors are to be appointed to liquidate the public Accounts.[2] The Supply of provisions is to be by Contract, as soon as matters can be prepared for it. The Court of France are friendly to our cause and willing to afford us what aids they can, but think we might do more toward carrying on the War from our own resources, without being so dependant for money on France.

Mr. Hillegas informs me that he has some Bills of Exchange to Send to the Loan office in Connecticut for payment of Interest. I hope Mr. Brown will be Sent on Soon, & bring Some Money for me. A Sum less than fifty pounds will not be Sufficient to pay my expence here and to enable me to return home.

It is necessary that one or more Delegates Should come immediately, there are but Eight of the States represented. 'Tis probable that Delegates will arrive Soon from the State of Vermont. I have Enclosed Several of the latest News Papers but they dont contain much News.

I have the honor to be, with the greatest Respect, Your Excellency's Most Obedient & Most humble Servant,

Roger Sherman

RC (Ct: Trumbull Papers).

[1] Sherman enclosed a copy of the *Pennsylvania Packet* of September 4 containing extracts from Gen. Nathanael Greene's letter, which had been read in Congress on September 3 and referred to the committee of intelligence. *JCC*, 21:929.

[2] For the abolition of the board of admiralty and the navy boards and the reorga-

nization of the treasury department, all of which involved the steady augmentation of the powers of Robert Morris, the superintendent of finance, see Morris, *Papers* (Ferguson), 2:108, 111–14, 214–19; and *JCC*, 21:912, 919–20, 943, 947–51. Congress had resolved to place Continental naval affairs in the hands of a single "agent of marine" on August 29 but assigned the duties of that office to the superintendent of finance on September 7 when the delegates were unable to settle on a suitable candidate. The treasury reorganization was undertaken by Morris in conjunction with a congressional committee consisting of Thomas Bee, Samuel Osgood, and Sherman.

Virginia Delegates to Thomas Nelson

Sir, No. 8 Philadelphia Sepr. 4th. 1781

Yesterday's post brought us no letter from your Excellency.

We have the pleasure to inform you that General Washington with a part of the American army, and the Count de Rochambeau with the whole of the French are thus far on their way to Virginia. The American troops passed through the Town on Sunday, the first division of the French yesterday & the Second will follow them tomorrow. The fine appearance they make as men, the perfection of their discipline as Soldiers, and the zealous attachment they manifest to the Allies of their Soverign authorize the highest expectations from their services in the field.

Since our last we have been informed that Admiral Hood with 13 Sail of the line from the W. Indies has been at New York and after annexing to them the 8 Ships which were commanded by Greaves, immediately put again to Sea. As the squadron under Admiral de Barras had previously sailed from N. Port & Hood could not be ignorant of the expected arrival of the Count de Grasse on our Coast there is little doubt that his activity is directed against the meditated junction.

Yesterday returned to this place Col. John Laurens from his special Mission to the Court of France. Although his success has not fully corresponded with our wishes, he has brought with him very *substantial* proofs of the friendship & generosity of our Ally of which we shall at present mention only a considerable quantity of Cloathing, powder, & upwards of 13,000 Stand of arms exclusive of about 3000 arrived in the Vessel mentioned in our last.[1] It has unluckily happened that these supplies have all been carried into Boston. Prudential considerations would not admit of their attempting this Port from whence the distribution of them would have been so much more convenient.

We shall be obliged to your Excellency to have a copy of The Treaty between Col. Christian & the Cherokees in 1775, made out & sent us by the Clerk of the House of Delegates.[2]

We have the honor to be with the highest respect & esteem, Yr. Excellency's Obt. & hble servants,

Jos. Jones.

J. Madison Junr.

Theok. Bland

RC (Vi: Continental Congress Papers). Written by Madison and signed by Madison, Bland, and Jones.

[1] See Virginia Delegates to Nelson, August 28, 1781.

[2] It is not clear whether the clerk of the Virginia House of Delegates, John Beckley, ever sent the delegates a copy of the Treaty of Long Island that Lt. Col. William Christian had negotiated with the Overhill Cherokee Indians in July 1777 (not 1775), even though Beckley had been instructed to do so. It is also not certain why the delegates requested a copy at this time. For speculation on both these points, however, see Madison, *Papers* (Hutchinson), 3:250n.7, 299–300. The copy of the treaty in PCC was sent to Congress in December 1781 by Thomas Jefferson to satisfy an unrelated request made earlier by Ebenezer Hazard, for which see Samuel Huntington to Jefferson, April 27, 1781; and Jefferson, *Papers* (Boyd), 6:141.

Daniel of St. Thomas Jenifer to Benjamin Franklin

Dear Sir Phila. Sepr. 5th. 1781

This Letter will be delivered to you by Coll. Dubuysson, an Officer of distinguished Merit and who has bled freely in the cause of America and wishes to return to it. I shall be obliged to you for your friendship and attention to him.[1]

Enclosed you have a Letter from me to your old friend & acquaintance Governor Sharpe,[2] which I beg you will Seal and forward to him as soon as possible. His Interest is much concerned by the information it contains.

I have the honor to be with the highest Sentiments of esteem & respect, Dear Sir, Your most Obedient Servant,

Daniel of St Thos Jenifer[3]

RC (PPAmP: Bache Collection).

[1] Charles-François, the chevalier Dubuysson des Hays, had written to President Thomas McKean on August 31 asking permission to return to France and requesting a testimonial from Congress, letters of recommendation from the Board of War to the French ministers of war and marine, the marquis de Ségur, and the marquis de Castries, and compensation for losses sustained in Continental service. The letter was referred to a committee consisting of James M. Varnum, Samuel Atlee, and Thomas Bee, which reported on September 3. The following day Congress honored Dubuysson's initial requests, citing especially his bravery at Camden, and this day ordered that his arrearage in pay be placed "on a footing of equality with the rest of the officers of the army" and be "liquidated in specie up to this day." See PCC, item 78, 7:403–4; and *JCC*, 21:922, 930–31, 935.

[2] Jenifer's letter to Horatio Sharpe, proprietary governor of Maryland, 1753–69, has not been found.

[3] South Carolina delegate Thomas Bee also wrote the following brief letter of introduction this day "to Certify that the Bearers Joseph Turpin Junr. & Isaac White are Citizens of So. Carolina & friends to American Independance, & are travelling to Boston on lawful Business." South Caroliniana Library, ScU. Turpin may have been the former commander of the South Carolina brigantine *Comet* and White a South Carolina militia officer released in June from the British prison ship *Torbay* in Charleston harbor. See Bobby G. Moss, *Roster of South Carolina Patriots in the American Revolution* (Baltimore: Genealogical Publishing Co., 1983), pp. 944, 984; William E. Hemphill, et al., eds. *Journals of the General Assembly and House of Representatives, 1776–1780* (Columbia: University of South Carolina Press, 1970), pp. 62, 85–86; and Edward McCrady, *The History of South Carolina in the Revolution, 1780–1783* (New York: Macmillan Co., 1902), pp. 358–64.

Nicholas Eveleigh to Benjamin Lincoln?

Dr. Genl.,[1] Philadelphia Septr. 6. 1781.

Mr. Burke, the bearer of this, is one of the Judges of South Carolina.[2] His services in that line are much wanted there at present. For the purpose of convenience & dispatch, the Delegates of So. Carolina have written to Genl. Washington[3] to beg the favor of him to allow him a place in one of the Vessels destin'd for the conveyance of the troops from the Head of Elk into Virginia. If this be granted him he will save money & time, both of which are precious to him in his present situation. I take the liberty of recommending him to your acquaintance, requesting your introduction of him to Genl. Washington. You will find him not undeserving of any civilities you may confer upon him. He will be thankful to you for them & so shall I. If you can find any leisure time from more important occupations, it will give me the highest satisfaction to hear from you, & to hear that you are well. God protect & prosper you, is the sincere wish of, Yr hble servt. N. Eveleigh

RC (MeHi: Fogg Collection).

[1] Probably Gen. Benjamin Lincoln whom Eveleigh would have met when the former commanded at Charleston and who was, at this time, at Head of Elk supervising the movement of Continental troops to Virginia.

[2] Undoubtedly Ædanus Burke (1743–1802), an associate justice of the South Carolina Court of Common Pleas and General Sessions, 1778–99, who was then serving as a captain in the South Carolina militia. The South Carolina delegates' request for Burke's conveyance by ship apparently was not granted. According to his letters to Arthur Middleton, Burke did not leave Philadelphia until October 3 when he traveled overland to Washington's camp at Yorktown, arriving the 15th and witnessing the capitulation of Cornwallis' forces four days later. See the *Dir. of the S.C. House*, 3:105; James Varnum to Washington, October 2, 1781, note 2, and postscript; and the *South Carolina Historical and Genealogical Magazine* 26 (October 1925): 184–87.

[3] Not found.

Richard Howly to Horatio Gates

My Dear General. Philadelphia Augt [*i.e.* September] 6th. 1781

An opportunity offering by Mr. M.Pherson I take the agreeable task of both informing & congratulating you, on the arrival of Count De Grasse with twenty eight Ships of the line in Chesapeake, where they will cooperate with our troops. The capture of lord Cornwallis and the army under his command there is inevitable. General Washington left this city yesterday morning, and in three or four days will arrive at the marquis's Camp. There are between Six & Seven thousand of the french & American troops which have passed this place for the Service in Virginia. The light infantry under Genl. Lincoln are embarking by this at the head of Elk for York and James river—So that every thing conspires to complete the destruction of british hopes in our Southern World.

The great armament under Monsr. De Grasse is to continue between two and three months on our coast, will not this Stay be Suffict. to answer all our Expectations?

As General W— will be so near you, it will give you the opportunity of agreeing on some mode of Determining that which must give you so much Anxiety. I am Satisfied how pleasing it would be to you to contribute your aid in terminating this great Question of our independence—and indeed the everlasting honors that must attend all who are concerned in this great business, shew the propriety of your taking a part in the close, who bore so great a Share in the former stages of this Just war.

Col. John Laurens, is returned from France—having successfully compleated the object of his Embassy—in a Word, the affairs of the States never bore So prosperous an appearance as at present—yet Britain, unfeeling unjust Britain, still pursues her chimera—at the time her Empire in all parts of the world is tumbling to pieces with a precipitation, unknown in any former Era. Adieu—My Dear friend—with respects to Mrs. Gates, I am most Sincerely yrs.

Richd. Howly

RC (NHi: Gates Papers).

Thomas McKean to John Laurens

Sir, Philadelphia, September 6. 1781

It affords me a singular pleasure to send you the Act of Congress of the 5th instant inclosed herewith.[1] It expresses the approbation of your conduct as special minister at the Court of Versailles in the fullest manner, and passed with an unanimous Vote. This is the greatest reward which they can bestow, or the most virtuous citizen receive, for the most faithful and important services.

You have the leave of Congress to return to the Army again agreeable to your request, where I sincerely wish, and doubt not, you will acquire additional laurels.

May you long continue to merit and receive the esteem & thanks of your Country. You, Sir, at least exhibit one proof to the world, that in the United States the road to honor is thro' the temple of virtue.

I am, Sir, with sentiments of the greatest personal respect and attachment, Your most obedient humble Servant,

Tho M:Kean President

RC (NN: Myers Collection). In a clerical hand and signed by McKean.

[1] *JCC*, 24:934–35.

Thomas McKean to Robert R. Livingston

Sir, Philadelphia, September 6. 1781

Your favor of the 25th of August last was received on the 3d instant and read in Congress. In answer thereto you will receive enclosed herewith two Acts of Congress of the 10th & 17th of January last, which I hope will be satisfactory.[1]

The Office of Secretary for foreign affairs is one of the most honorable in the gift of Congress, and will not in my opinion be attended with much drudgery; the liberty to attend Congress, and the constant intercourse with the Members, distinguish it from any other, and will, I flatter myself, have a tendency to induce your acceptance of it.

I have the honor to be, with very great regard, sir, Your most obedient humble Servant, Tho M:Kean President

RC (NHi: Livingston Papers). In a clerical hand and signed by McKean.

[1] Responding to an August 11 letter from McKean notifying him of his appointment as secretary for foreign affairs, Livingston had replied that he was "embarrassed in coming to a determination from not having seen the act of Congress constituting the office," which McKean herewith supplied. *JCC*, 19:43–44, 64. For Livingston's letter, as well as one of September 23 accepting the appointment, see PCC, item 79, 2:1–6, Wharton, *Diplomatic Correspondence*, 4:661, 727; and *JCC*, 21:930, 1028.

Thomas McKean to Thomas Rodney

Dear Sir, Philadelphia, September 6. 1781.

Admiral de Grasse, with twenty eight Ships of the line, two 44 & 2 frigates of 32 each, and a cutter of 18 Guns, having on board four thousand Troops, arrived in Chesapeake Bay on the 26th of August last. For further particulars I refer you to the Hand-Bill inclosed, which I had struck off on the occasion.[1]

Colo Laurens has come to Congress and successfully executed his mission as our special Minister at the court of Versailles. He arrived at Boston on the 26th of August in the frigate Resolute, and was accompanied by three others: they are loaded with arms, ammunition, ordnance, cloathing &c. for our army, and he has besides brought over a large sum of money in specie; the amount I am not at liberty to mention, but I can tell you it is more than one hundred thousand pounds sterling, and that more is expected. I have no official intelligence of the fact, but I am firmly perswaded, that Count de Barras, with seven Ships of the line and several Ships of inferior force, must have entered the Chesapeake on Monday last; on which day Sir Samuel Hood, with 22 Ships of the line and a great many frigates, was seen about thirty five miles to the southward of Cape Henlopen steering to the southward. We may soon expect to hear of a naval engagement, and, I flatter myself, with the surrender of Lord Cornwallis & his Army.

Permit me, my dear Sir, to present you my warmest congratulations on this glorious intelligence.

I am, dear Sir, with Sentiments of very great respect, Your most obedient humble Servant, Thos M:Kean

RC (DeHi: Morse Autograph Collection).

[1] Enclosure not identified, but the information on De Grasse's arrival was from a letter to Washington written by Gen. Mordecai Gist on September 4 at Baltimore, forwarded in Washington's letter of September 5 from Chester, Pa., to Congress and printed in the September 6 issue of the *Pennsylvania Packet*. PCC, item 152, 10:237–43.

Ezra L'Hommedieu to George Clinton

Sir, Philadelphia, September 7. 1781

Mr. Smith this moment informs me that he is going out of Town. I have only time to congratulate you on the Arrival of the Count De Grasse at the Cheasepeake & inform you that Gist's Letter to the General is erroneous in Point of Time. By a Letter from the Marquis LeFiette to the Minister received last Evening, the Count De Grasse arrived on the Thirty first, had landed 5000 Men including Marines, the Marquis was urged to make a stroke at Cornwallis, which he could do with probability of success, but declined it as the Commander in Chief was on his way, and there was no probability of Cornwallis being able to effect an Escape. The Marquis makes no mention in his Letter of the Capture of Lord Rawden, which makes

Gist's information doubtful. We are anxious to hear of Count De Barras with his fleet from Rhoad Island, who sailed from thence the 25th (as was said) to join De Grasse. General Washington was at the Head of Elke Yesterday about noon. Vessels are there ready to receive the Troops, at least most of them, & he writes that he shall loose no time in forwarding them on. Our Expectations are greatly raised, and those who are best acquainted with Cornwallis' Scituation make no doubt but his whole Army must fall into our Hands. I hope no unforeseen accidents (which are frequent in war) may deprive us of so great a Prize, which probably will put an End to the War in a short Time. Colo. Lawrance has returned from France and has been very successful in his Embassy, of which I shall inform you by Colo. Hay, who has been necessarily detained longer than he expected, but probably will set of next Day after tomorrow. Tis Determined that Certificates be given for the forrage taken in Westchester by the Deputy Quarter Master under the Direction of General Heath.[1] I am Sir, with great Esteem & respect Your Excellencys most obedt. Servt. Ezra LHommedieu

RC (N: Clinton Papers).

[1] Congress had this day directed William Heath to take immediate steps for reimbursing Col. Udny Hay, who had been in Philadelphia seeking the settlement of his accounts for forage furnished the deputy quartermaster in Westchester County, N.Y., for which see *JCC*, 21:943–44; New York Delegates to Hay, August 9, note 1; and Thomas McKean to Heath, September 12, 1781.

Thomas McKean to Philip Schuyler

Sir, Philadelphia, September 7. 1781.[1]

On the 17th of August last I had the honor to receive your letter of the 9th of that month, and laid it immediately before Congress, who referred as much of it as related to money matters to the Superintendant of Finance, and the residue to a Committee.[2]

I herewith enclose you an Act of Congress of the 6th instant respecting Indian affairs.[3]

Permit me, Sir, to congratulate you on your late fortunate escape from the nefarious attempts of our abandoned Enemies,[4] and to subscribe myself, with the utmost respect & personal attachment, Your most obedient and very humble Servant,

Tho M:Kean President

RC (MA: Signers Collection). In a clerical hand and signed by McKean.

[1] This letter is dated September 6 in McKean's presidential letterbook. PCC, item 16, fol. 73.

[2] Schuyler, a commissioner for Indian affairs in the northern department, had enclosed a July 30 letter to him from James Deane, an interpreter for the department,

representing the hardships borne by the friendly Caughnawaga Indians of the Schenectady region since the withdrawal of American forces. It was not until September 25, however, that Congress adopted a committee report on Schuyler's letter containing the empty affirmation "that Congress have a just sense of their attachment to the United States, and will embrace every occasion to maintain their rights and redress their grievances." See *JCC*, 21:881, 1014; and PCC, item 153, 3:565–70.

[3] Although related to the issue raised by Deane to Schuyler, the enclosed resolve was actually adopted in response to a September 3 memorial from Udny Hay, deputy commissary general of purchases for New York, seeking authorization from the commissioners of Indian affairs at Albany to settle his accounts with Maj. Jellis Fonda for rations already issued to friendly Indians on the New York frontier. See *JCC*, 21:917, 939–40; and PCC, item 41, 4:189–90.

[4] For the attempt to capture Schuyler at his Albany home on August 7, see Don R. Gerlach, *Proud Patriot: Philip Schuyler and the War of Independence, 1775–1783* (Syracuse: Syracuse University Press, 1987), pp. 458–60.

Thomas McKean to George Washington

Sir, Philadelphia, September 7. 1781.

I have the honor to acknowledge the receipt of your most agreeable Letter of the 5th of September instant,[1] respecting the arrival of the French Fleet in Chesapeake Bay, and now inclose you two Acts of Congress, one of the 4th & one of the 5th instant.[2]

I am, Sir, with very great regard, Your Excellency's Most obedient & most humble servant, Tho M:Kean President

RC (DLC: Washington Papers). In a clerical hand and signed by McKean.

[1] Washington's letter is in PCC, item 152, 10:237–40; and Washington, *Writings* (Fitzpatrick), 23:87.

[2] The enclosed resolves consisted of a commendation and leave of absence for the chevalier Dubuysson des Hays, and orders to Washington to conduct an inquiry into charges brought against Maj. Gen. Robert Howe by the Georgia Assembly for the conduct of Howe's troops in that state in December 1778. *JCC*, 21:931, 937–38.

Edmund Randolph to Thomas Jefferson

Dear Sir Philadelphia Sept. 7. 1781.

By the last post I suggested to you that our European affairs would probably bear greater delay than you apprehended.[1] What you call your temporary disability will be removed early enough, to allow you to reach France by January. From Colo. Laurens's account I am induced to believe, that Great Britain will never admit an American plenipotentiary into the congress, before which a general pacification is to be agitated, until some humiliating stroke of war and that until such admission, France will not negotiate on the subject. These considerations fully answer your objection, and give me an opportunity of wishing for authority to say, that you will embark upon the embassy.[2]

I am Dr. Sir yrs. sincerely, Edmund Randolph

RC (NNPM); reprinted from Jefferson, *Papers* (Boyd), 6:117.

[1] Randolph's letter by "the last post" has not been found, nor did Jefferson report receiving it.

[2] Jefferson's August 4 letter declining his appointment as a peace commissioner had been read in Congress on August 27. See *JCC*, 21:910; and PCC, item 78, 13:239–40. See also Samuel Huntington to Jefferson, June 15, 1781. Randolph's request that Jefferson reconsider his decision in the light of these new "considerations" and "embark upon the embassy" proved unsuccessful. In his September 16 reply Jefferson affirmed that "I have taken my final leave of every thing of that nature, have retired to my farm, my family and books from which I think nothing will ever more separate me." Jefferson, *Papers* (Boyd), 6:117–18.

Ezra L'Hommedieu to George Clinton

Dear Sir, Private. Philadelphia, September 8, 1781.

I have been honored with your private letter of the 26th of August, and your official one of the same date (by Colo. Hay) for which I have many thanks to return.[1] I readily agree with you that so flagrant a breach of faith and violation of the Confederation, so soon after its ratification, as the late proceedings relative to the New Hampshire Grants has a direct tendency to destroy all confidence in that body whose engagements ought to be held Sacred. When the principles of justice once give way to those of expediency it is impossible to tell where the evil will end. Some of the Southern States although they voted for the present measures are very fearful of the consequences; and anticipate the evils that may befal their own States in consequence thereof. Had not the Southern States been invaded, 'tis my opinion, we should not have seen the present resolution; by this the New England States acquired an importance they never experienced before. I think it more than probable, that after the return of the agents from Vermont, if they should propose terms which should be thought reasonable, many of the States would endeavor to refer it to New York and New Hampshire with recommendation to relinquish their several jurisdictions (the Massachusetts having already passed a law for that purpose). I am more induced to believe this will be attempted, as many gentlemen from the Southward are fully of opinion that Congress has no authority to admit those people into the Federal Union as a separate State on the present principles. Since the departure of Ira Allen and his associates, we have had a very thin Congress, when before there was twelve States represented and one member from the thirteenth, which shews what pains were taken to carry a favorite point to the New England

States. Your letter to the President of Congress, with Governor Trumbull's letter and the answer from your Excellency were read by the Secretary and committed to a special Committee who have not yet reported. I had some days before moved for a special Committee to report specially on the papers and other information given relative to the commissions issued by Governor Trumbull. Mr. Sherman, the only member now here from Connecticut urged that it might be delayed till the Gov'r could be heard from, as he was satisfied the Commissions were called in and the plundering would cease; some other States supported him and the motion was lost. I conclude the Committee do not report expecting a letter from Gov'r Trumbull to Congress by the next post on the subject. You may rest assured that we shall not be inattentive to a matter in which the State is so greatly interested.[2]

Your construction of the resolutions as to the time of our present delegation is agreeable to my former opinion, tho' contrary to Mr. Duane's. At least he much doubted of the propriety of our staying longer than the 12 of Sept. General Scott has wrote to us, advising by all means not to stay longer than the 12th of Sept. (this need not be mentioned): if Mr. Duane is of my opinion, which I believe he will be, we shall continue here as long as our money will hold out, and longer we cannot. 'Tis probable some time about the first of next month, it may be prudent for us to take our departure; if we can stay longer we shall.[3]

Colo. Hay has necessarily been detained here longer than he would have been, on account of the movement of the Army. Much of the time of this week having been taken up by Congress in settling etiquettes and in paying and receiving compliments from the General Officers and Army. Count de Rochambeau ordered his whole Army to march by the City Hall and to salute Congress as a crowned head, and the President as the first prince of the blood. How do you think friend Thomas felt?[4] It has been with some difficulty that we have been able to procure the enclosed resolution[5] (which is not certified by the Secretary, the minutes not having been read since its passing) which is not so full and agreeable to our wishes as we intended. The Quarter Master has his friends, and those that justify him, tho' few in number. Eight States only are represented. One was divided, one voted against, whereby some other parts of the report was lost; to wit, that the certificates given to the State agent shall be credited to the quota of supplies required of the said State. This part being reconsidered was referred to the financier, where 'tis likely it will remain dormant till the account is settled. If we can get the certificates with the quantity of forage ascertained, we can easily have it in our power to make the discompt. By Colo. Hay I send you a little book with the Constitutions of the several States which he informed me you wanted;[6] and I shall by the first opportunity send you the Acts of Congress as far as are printed (for want. . . .[7]

⟨*of our*⟩ great Resourses of our Revenue. Yesterday at one Stroke 30,000 Thousand Dollars specie per annum was [s]truck of[f] from our Expenditures by dissolving the Board of Admiralty, the Henorable Navy Board at Boston, Secretaries, Agents, Clerks, House Rents &c, &c. The whole Business being transfered to the financeer Mr Morris, untill an agent of Marine Shall be appointed. A Secretary or Minister of War will soon be appointed which will make a great saving in that Department. We were fully of Opinion & I believe Colo. Hay concurred with us that it would at present answer no purpose to attempt any New regulations on the old System for settling the Quarter Master & Commissaries Accounts in our State, as the financeer has given in to Congress a General Plan for settling all Accounts by which the present Board of Treasury, Chambers of Accounts, extra Chambers, Auditors &c will be broke up and a New Arrangement made. This Plan has been under consideration some Days & some Parts of it are passed & I expect it will soon be finished. So far as I am acquainted with the public Accounts I have reason to believe the System will not work when put in practice and it is nearly as expensive as the former one. I beleive however it is best to pass it or any thing else that the Business may be set about and Defects in the System may hereafter be remiedyed as they may appear to the Financeer. If the present proposed System will not work he must Try till he can get one that will. It is very evident that unless the public Accounts are soon setled, or unless the People are convinced they will soon be settled, little or no Taxes or Supplies will hereafter be recived from the States as at present each State claims to have done more than its Proportion, and offer that as an Excuse, even Pensylvania Claims that Merrit.

By Some late Accounts from Europe which many suppose Authentick, the Empress of Russia is playing with Holland offering in Excuse for her not taking a part in Support of the Conventions of the Armed Neutrality, that she will give her mediations & that after a peace takes Place Holland will Enjoy all the advantages of it. She excuses herself further 'tis said, by saying that the Declaration of war on the part of Great Brittain was prior to the Actual signing by the United States (*of Holland*). She has banished one of her Ministers who was greatly in favour of assisting the Neutrality against Great Brittain. We expect soon to hear from Mr Adams when likely we shall have a true & particular Account. It is so long since Mr Laurens left France, (near three Months) that he has nothing new. I am sr with the greatest esteem & respect Your Excellencies most obedt Servt. Ezra L'Hommedieu

Tr (MH–H: Sparks Collection). RC (NHi: Miscellaneous Manuscripts). Only the last three pages of the RC have been found.

[1] Clinton's letters are in Clinton, *Papers* (Hastings), 7:151–52, 259–60.

[2] See New York Delegates to Clinton, September 9, 1781, note 3.

[3] See ibid., note 4.

[4] That is, President Thomas McKean.

[5] See L'Hommedieu to Clinton, September 7, 1781, note

[6] L'Hommedieu undoubtedly enclosed a copy of *The Constitutions of the Several Independent States of America, the Declaration of Independence, the Articles of Confederation between the said States, the Treaties between His Most Christian Majesty and the United States of America* (Philadelphia: Francis Bailey, 1781), which was published "by order of Congress."

[7] Tr ends at this point; undetermined number of lines missing before the RC begins.

James Duane to George Washington

Philadelphia 9th Septemr. 1781.

I need not tell you, my dear General, what I felt on the critical Arrival of Count de Grass' Squadron. Accept my warmest Congratualations. The most decisive advantages may reasonably be expected from this generous & formidable Cooperation: but I will not anticipate.

The Financier has relievd my Solicitude for the New York Line. A month's pay however inadequate to their Claims will raise their Spirits, at least appease their discontent.

I have this moment dispatches from the northward particularly from General Schuyler. The Indians have within a few days revisited Coble's Kill and Schoharie, burned several houses and captivated some of the Inhabitants; and there is reason to be apprehensive that they will destroy the Grain which is doubtless their principal Object in this Incursion. General Schuyler mentions that there is not less than 80 or 90000 bushells of Wheat at Schohaire alone which he has "in vain essayed to bring away."

Since your Excellency's departure we have thrown the Solitary Remnant of our marine into the Management of our Financier. It will save a Capital Expence as the Admiralty, Navy board and their Subordinate Offices are dissolved. When the number of our Ships & the Circumstances of our Treasury Justify it, the Appointment of the Minister of the marine will be seasonable. The Board of Treasury & its dependants will in a few days undergo a similar Reform. I expect those measures will prove a fruitful Source of Invective against those who have introduced and pressed them, and I am content to take my Share.

I have the pleasure to transmit this Letter by Lt. Col. Laurens. In the Execution of his late Mission he has acquired great Honour and given entire Satisfaction. From having his Report under Consideration as a member of a special Committee I had an opportunity of minute Enquiry and I am convinced he has done every thing which coud be expected, under delicate Circumstances, from an able minister. He has Justly encreased his Reputation by asking leave immediately after his Report to take the Field, and by declining any Recompence for His essential Services. A disinterestedness which forms a striking Contrast between him and some other Characters! Congress have given him a Testimonial of their Approbation which I do myself the Honour to enclose.[1] I wish it may be in your Excellency's power to distinguish Col Laurens by a Command. You may be assured it will be highly pleasing to Congress.

With every Sentiment of affectionate Attachment and inviolable Respect and the most sincere wishes for your Glory and Success—I have the honour to be—Dear Sir, Your Excellency's most Obedient & most humble Servant, Jas. Duane

RC (DLC: Washington Papers)

[1] See *JCC*, 21:934–35.

New York Delegates to George Clinton

Dear Sir Philadelphia 9th September 1781

We were duly honoured with your Excellency's Despatches of the 25th, 26th & 27th of August to which we shall pay all possible Attention.[1]

Your Excellency's Observations on the Vermont Business are conclusive,[2] the Effect of them would have been and still may be, a Suspension of the Controversy but this we had every Reason to believe was not the Intention or even the Wish of the Legislature from every Gentleman with whom we conversed, we were taught that any Decision was preferable to Delay; and that as internal Dissentions would arise from a Reference to our own Legislature, it would not be expedient to shift the ultimate Admission or Rejection of the Claim from the United States to those which were immediately interested. Indeed from the Terms of our Instructions we were unauthorized to countenance or interfere in any Act which was not grounded on the Merits of the Controversy with Respect to Right and the Evidence submitted to Congress, it would otherwise have been no hard Matter to give the Business the Turn your Excellency suggests—our Situation is too embarrassed to acquire any Credit in this disagreeable Subject. We shall inflexibly continue to dissent from any Propositions repugnant to our Instructions, by which we hold ourselves bound, if we succeed in procuring a Recognition and Guarantee of our remaining Territorial Rights, it is the best Compromise that we can foresee, even this will be attended with Difficulty; we hear Nothing from the Grants, and it is more than probable their internal Animosities with respect to the People on the East Side of the River (who will not readily yeild their Project of Independence) will protract the Business untill the next Sessions of the Legislature.

Before the Receipt of Your Excellency's Despatches we had revived the Business of the Plunder on Long Island by Pretext of Governor Trumbull's Commission, and insisted on the Incompetency and even Impropriety of a *Desire* to revoke those Commissions; because it implied a Right to grant them. Mr. Sherman assured Congress that the Recommendation would have its full Effect, and as sufficient Time had not then elapsed for an Answer it ought not to be pressed, for this Reason it was postponed by the Unanimous Wish of Congress, tho' without putting any formal Question; and it rests with us to resume it the first convenient Opportunity, if Govr. Trumbull does not give the Satisfaction required of him, the Sufferers will in some Measure be redressed by the Repeal of the Sentences below, which we take for granted.[3] We have attentively considered your Excellency's Observations respecting the Expiration of our Authority.[4] They have certainly great Weight; but your Wish that we should continue here 'till the 15th of Octbr. has determined us to wait as long as our Finances, will permit, which will be something Short of the Period you mention, if the Agents for the Grants appear in the mean Time, the Expedient of a Protest may be adopted.

The conduct of the Quarter Master General in West Chester County respecting Forage, is not, nor can it be justified—one dissenting and one dividing State prevented us from obtaining a Resolution agreeably to our own Wishes. Those States did not object because the Quarter Master's Principle was defensible, but because a general Rule ought to be laid down which would relieve all States and Individuals under the like Circumstances, however if no Alteration is made in the Act passed yesterday it will be sufficient for our Purpose[5]—as to the Individuals being paid by Congress, it will be out of the Question 'till the publick Treasury is replenished, if the Debt is acknowledged he must be contented—if what relates to the State is assertained we shall take Credit for it. Col. Van Schaick has unquestionably been ill treated, and we approve of his not joining the army until Justice is done him, in fact Congress know not what to do for him unless by adding Two Brigadiers General to the List to raise him and Greaton up to the Rank of Hazen who has superseded them both. He cannot be permitted to retire on Halfpay by any Act of Congress which will not imply a Disgrace. We shall try what can be done, in the mean Time he is paying a Visit to a Friend in New Jersey where he waits the Event.[6]

Doctor McCrea is arrived and from his Services entitled to our Assistance. Dr. Young we have not yet seen, tho' we are well acquainted with his Merit. Your Excellency's Commands with respect to them we shall execute with great Pleasure as far as may be practicable.[7]

We congratulate your Excellency on the Arrival of Count De Grasse in the Chesepeake with 28 Ships of the Line he has landed from his Fleet 5000 Troops including 1000 Marines. General Washington is now at the Head of a formidable Army and Lord Cornwallis so effectually circumscribed by Sea and Land that it is out of his Power to retreat. There is no Doubt but he will make as obstinate a Defence as about 5000 Troops will enable him; but his Lordship seems once more to be placed in Circumstances from which Nothing but the sudden Approach of a superior naval Armament can extricate him. We speak with Submission to divine Providence. For the Particulars of this and other Intelligence your Excellency will be pleased to be referred to the Collection of News Papers enclosed.

Since our Arrival here the Plan for choosing an Agent instead of a Secretary of Marine has been adopted, but the Number of our Ships still decreasing by a recent Loss and being reduced to two we have transferred the Business at present to the Financier. The Treasury Board will be dissolved and a Plan more simple and expeditious instituted, it is now forming into an Ordinance the Substance having already been agreed to. Col. Laurence our special Minister to the Court of Versailles is returned and has executed his Mission with great Propriety and Success, it has been the Means of enabling us among other good Things to advance the New York Line, Officers and Men a Month's Pay in Specie. Yesterday they received it at the Head of Elk, we suffered the greatest Anxiety 'till this Object was accomplished, for the Discontent of the Corps was great and just as well among the Officers as Soldiers.

We have the Honour to be with the utmost Respect, Dear Sir, your Excellency's most Obt. hble Serv, Jas Duane

Ezra L'Hommedieu

Tr (N: Legislative Papers). In a clerical hand.

[1] A transcript of Clinton's August 25 letter to the New York delegates is in the Legislative Papers, N; his August 25 letter to President McKean is in PCC, item 67, 2:422–23 and Clinton, *Papers* (Hastings), 7:251–52; and his August 26 and 27 letters to the New York delegates are at ibid., 7:259–61.

[2] In his August 25 letter to the delegates, Clinton had complained that in accepting Vermont independence Congress was merely acting out of "*political Expediency*," and he went on to advise that Congress be reminded "that the Business is conducting in an improper Train, that nothing will be effectual unless it is hereafter confirmed by us, and . . . that if they expect to obtain our Confirmation, Congress ought to guarranty to us every other Boundary as we now Claim and take every possible Method for securing the Property of Individuals in the contested District."

[3] For the background of this issue, see Thomas McKean to Clinton, August 8, note 1; and Connecticut Delegates to Jonathan Trumbull, August 14, 1781, note 1. In response to Governor Clinton's complaints, the matter had recently been referred to committee for reconsideration, but no action was ever taken on the committee's

subsequent recommendation that "no goods or effects belonging to the Citizens of any of these United States within the possession of the enemy . . . be deemed legal prize in any Court within the United States" unless captured in pursuance of a special commission granted by Congress. *JCC*, 21:931, 1046.

[4] Clinton had advised the delegates in his August 25 letter, that he believed their appointment as delegates extended to October 15. See also James Duane to Clinton, August 14, 1781, note 5.

[5] See Ezra L'Hommedieu to Clinton, September 7, 1781, note.

[6] In his August 27 letter, Clinton had asked the delegates to seek the promotion of Col. Goose Van Schaick to brigadier general—an assignment they could not fulfill. Clinton, *Papers* (Hastings), 7:260–61.

[7] Clinton had asked the delegates in August 22 and 26 letters to seek military appointments for doctors Stephen McCrea and Joseph Young. They succeeded in the case of Young, who was promoted to Continental army physician and surgeon on September 20, but not in the case of McCrea. See *JCC*, 21:958, 980–81, 1016.

James Lovell to Abgail Adams

Sep 10. 1781

The Post gives me your Strictures of Aug. 21. My Esteem of Portia has prevented any Distinction in my Mind between her Professions of Friendship and the real Existence of it in her Bosom, nor have I mistaken the Emanations of it under any of its different Appearances of Criticism, Rhodomontade, Satire or religious Charity. She must have seen this, if she had chosen to have let me speak of *Clarinda* (I believe it was) without wresting the Application to herself, and imagining I hesitated to trust my dearest Friend to converse with Portia individually. I "charitably hope" that it was such *mis*application which occasioned the Retort of a most confidential Hint of the Ubiquity of "*trifling* & *censorious* Persons." I did not before conceive that they had a Residence only in Massachusetts.

Considering the true Nature of Mankind, We seem not calculated to introduce *ever* and *never* into the promisory Parts of our Intercourse here, otherwise I would subscribe to your Sentiment "nor will an affectionate Husband *ever* wound it." He will not *willingly* or of *choice*; but it seems he may do it *inadvertently* or *thro necessity*, by putting up at one Tavron rather than another; or by not quarelling and disputing with the Landlady while he knows himself to be better accommodated than he could be at that other; and while the Fatigues & Vexations of the Business he is persuing lead him to think he is entitled to a convenient Resting Place, to good Diet, and kind Attendance in Case of Sickness. Two or three Pair of Stairs are a Benefit to a *young* sedentary Person. Gen. Ward was too old for such [. . .]. My [. . .] bring many Strangers to transact Business, who must either mount to me or I must descend to them; which latter I should be obliged to practice, if I was lodged as many others are; at the same Time that I should not have their Rogue Theif Lyar

Drunkard of a Servant to call me perpetually to the Stair-Dance. Indeed, Madam I do not despise the Opinion of the World. But, your Philosopher,[1] possitively, shall not be my Pattern in the present Case. He would have lived on Sour Crout rather than stand the Charge of Luxery for eating Chicken, and would have lodged in a Pig's Stye sooner than in the most commodious Chamber in Genl. Mifflin's City-Mansion if it could be reported that his Landlady here had not Parchment Features of Fourscore. I have been more particular and lengthy on that first Hint in your Letter because of the real Plausibility involved in it. And I promise to be so "circumspect" as not to miss any Opportunity of *bettering* myself; but surely, my very amiable Monitrix, that is the only laudable End of Circumspection.

I wish I could make this Half Sheet welcome by adding Something to what I have already sent respecting our Friends in Holland;[2] I am watchful to find it. In the mean Time permit me to think I am with great Esteem, Your humb. Servant JL

RC (MHi: Adams Papers).

[1] That is, John Adams.

[2] John and John Quincy Adams.

Thomas McKean to Joseph Reed

Sir, Philadelphia Septemr. 10th. 1781.

Inclosed herewith I have the honor to transmit to your Excellency an Act of Congress of the 7th instant, together with an Extract of Mr. Holker's letter therein referred to.[1]

With the greatest respect & regard, I am, Your Excellency's most obedient humble servant

FC (PHi: McKean Papers). In the hand of Thomas McKean.

[1] In response to the enclosed extract from Jean Holker's letter, the Pennsylvania Council ordered all state officials "to aid and assist in the apprehending and securing all French seamen" for impressment into the French navy, and "recommended to all merchants, captains of vessels, and other inhabitants of this State, to discourage the employment of such seamen in any vessels belonging to or sailing out of this port." See *JCC*, 21:943; and *Pa. Council Minutes*, 13:53–55.

Daniel Carroll to Thomas Sim Lee

Dear Sir, Philadelphia Sepr. 11th. 1781

Nothing from You by this post, nor have I any thing to Communicate excepting the arrival of three Vessells from Cadiz which they left about the last of July. Private letters by these Vessells say that the Combind fleets of France & Spain amounting to 53 of the line and about four hundred transports with troops had put to Sea, suppossd to be going against Minorca.[1]

I Beg leave to refer you to the inclosd letter.[2] I have seen one of the Suits—viz Blue fac'd with red, white Cloth waistcoats & Breeches & overalls—the quallity, I think proper; If you desire it one of the Suits shall be sent. I Believe Messrs. Mead & Co. wou'd treat for flour provided the offer about the Iron is not agreable—please to enable me to give him an answer.

I am, Dear Sr., with great Esteem, Yr. Most Obt Sev.

Danl. Carroll

[*P.S.* . . .] shall be sent by the first favble. opportunity. Mr Cottinger the Taylor will execute your other Compts as soon as possible.[3]

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] The deployment of the Franco-Spanish fleet that sailed from Cadiz on July 21, 1781, was part of a complex maneuver that culminated the following February in the capitulation of Minorca. See Jonathan R. Dull, *The French Navy and American Independence* (Princeton: Princeton University Press, 1975), pp. 232–36, 267.

[2] Not identified.

[3] This day Carroll also sent the following brief note to Lee: "I am this moment favord with yours of the 7th & shall pay due attention to the Contents. If the business can be managd in the manner you are So Kind as to mention, let my Son Know it, & I will give an order accordingly. It is Consequence to me to reserve as much as possible here." Lee, Horsey, and Carroll Papers deposit, MdHi.

James Duane to Robert R. Livingston

Philadelphia 11th. Septemr 1781

I was favourd, my dear Sir, with your friendly Letter of the 24th of August.[1] I am pleased with your Acceptance of the office assigned you.[2] If on experiment it shoud not prove agreeable it opens the Way to your going abroad in a publick Character. Notwithstanding your Aversion to a Life of severe Labour I take it for granted you'l give entire Satisfaction in the office you are now to possess. I sincerely wish you was here before I retire as I am perswaded every thing woud be put on a footing agreeable to you. I am sorry indeed that you raised any Obstacles as they produce a most inconvenient Suspence. I enclose you a Copy of the Acts of Congress on this Subject. If the Salary shoud prove incompetent it will be raised. If I might advise you it woud not be altercated at this time even if you shoud Judge it to be scanty. We see the most urgent necessity to retrench our Expenditures at the very time that we are called upon to Establish offices which will be burthensome & expensive.

To my great Satisfaction Col. Laurens is returnd having executed his Mission with great Reputation to himself and Advantage to his Country. His Expences were within 300 Guineas: he refused any other Compensation and applied immediately for Leave to take the field. A Noble Instance of disinteredness & publick Zeal: and the more remarkable as this patriot is deprived of his whole fortune by the Course of the War. I drew down much abuse by the Part I took in this Mission: Success has Justified it.

With respect to an Advance in bills it is not in the power of Congress at present. They have thrown all their Finances into the hands of the Superintendent who does not draw because the bills are undervalued & it is essential to raise their Credit. I took the most delicate way to sound him by shewing him your Letter. He read it with pleasure but was altogether reserved with respect to an advance. The best mode you can embrace is to leave Mrs. Livingston at the Valley till you can fix things here to your Satisfaction: in the mean time from necessity you must put up with private Lodgings: it will save you Expence and prevent Importunity for money. Pardon these Hints. My wish is to remove every Impediment to your repairing hither without loss of time. On many Accounts you may be assured it is essential.

Make my Compliments acceptable to your Mamma, your Lady and to every branch of the Family and Believe me to be with great Esteem & Regard, Dear Sir, Your most Obedient huml Serv,

Jas. Duane

[*P.S.*] We wait impatiently to hear from General Washington. We have a Superiority by Sea & Land, but yet I believe Cornwallis will make desperate Efforts to save his Reputation. I remember he was very free of his Censures against Burgoine for Capitulating instead of fighting.

RC (NHi: Robert R. Livingston Papers).

[1] Livingston's draft of this letter is in the Livingston Papers, NHi.

[2] Although Livingston had not yet accepted the post of secretary for foreign affairs, wishing clarification on details such as the appointment of a clerk and interpreter and "the emoluments of the Office," his letter to Duane indicates that he anticipated no difficulties over these points and would formally assent to the appointment in due course. See ibid.; and Thomas McKean to Livingston, September 6, 1781.

James Lovell to Elbridge Gerry

Dear Sir Sepr. 11. 1781.

I have already acknowledged the Receipt of your Favors of July 30 & Aug 21 with those for B— D— & G.[1] Hazard will have answered the 1st. You will herewith receive an Answer to the last and the others will not be unnoticed. I have said that they were very well-come tho they were rather Foundations of Hope than Messengers of Success.

The Mail of Aug. 28 going hence was taken but I do not find by my Almanac that I wrote a single Letter. I think however I did send one, insignificant, to my Children.[2] Privateer Commissions went from Mr. Thompson to Mr. Avery,[3] which was a very unfortunate Circumstance.

I have already told you that I must Consent to your standing by me in the Case of 140 Dollars, letting the *final* Damages fall on me. Mr. R Morris has the Letter of our Court and the Report of a Committee upon it respecting the old Money under his Consideration, and yesterday was referred to him an Instruction of June 30th recd. only Augst. 30th respecting the same Business.[4] I know him to be strongly for Justice, and clear that it may easily be had. The Movements of the Army press him greatly so that he has not Leisure yet to report, but in fact, the Business is already in Train by his pressing the Delinquent States for their Balances on *all* Requisitions. The new had a Shock at the southward but from 15 it suddenly got to be 4 for 1 as Major Burnett tells me. It is here less than 2 and Mr. Morris says *must* be near par shortly.

In one of those Letters not yet answered you speak of 184 49/80 Dollars, and 1010 Livres, in another you mention the first Sum even 184 Ds. and Paper to procure *210* Livres yet say you shall credit 140 Dollars. I now owe 147 for Board and some little borrowed of the same Person, besides 26 borrowed for Expences and perhaps 16 to Tailors and Shoemakers. How under the Heavens am I to get at this with Massachusetts Paper which is here, now, not at all passing, and, with you next to nothing. You speak of my seing Boston. I own no Horse or I might run away from my Debts and ask Charity on the Road for a Delegate of Mass. to enable him to reach Home. But really my Friend are you not in opinion that it is a ridiculous Way of proving that I did not keep Madam Clymar, to go and spend a Number of Months with my Family without one Shilling of Income *the Day after my arrival in Boston*, or without the least Hint from any Man that he will employ me in any Way within the Compass of my Abilities. Bad as my present state is it compares well by the Side of nothing. I have not the most distant Right to complain of the Smallness of my Pay while it is equal to that of my Colleagues and is justly liquidated. I have even Obligations for particular Attention that has been given by the Court to my Family. Is it a Crime to serve here as a Delegate for a Living more than to do it in the Church or in an Academy? I thought not when I undertook it. Nor is it a Crime that I endeavor to bear patiently that Injury which the War has brought on my Family in common with many others. I see no Way by *fair means* of living well at Home without a Capital. I foresee Banishment from my native Province to some of the newer Quarters where

Land is easily to be had and where Education may ensure some Office. To quit all Connection with the Contest in this Stage of it and take Horse & a pr. of Saddle Bags to make Something *handsome* as the Phrase is out of Credit meerly does not fall in with some fixed Principles to which I have been accustomed. More than one whom I esteem and whom I doubt not to call my Friends have appeared to advise my "paying a Visit to Massachusetts." I greatly Wish to know what are the imagined Utilities that may balance the inevitable Injuries which I have hinted. Do be candid with me if you have heard Conversation on that Head.

Mr. J A has Power to form a Treaty of Alliance with Holland to make it Triple or Quadruple for the Purposes of *this War.*[5]

Mr. J Laurens can give no News of him so late as what a Capt. Mason brought, who had been Captured. Mr. A took public Parade about the 24th of May.

I will give you none of the thousand *Reports* here as to military matters but shall not fail to send you any material Facts that rise. Yr. obliged & affectte., humble Servt. J L

RC (NHi: Elbridge Gerry Collection, photostat).

[1] Not identified.

[2] Not found.

[3] Not found.

[4] See Samuel Osgood to John Lowell, July 10, note, and August 28, 1781.

[5] See Lovell to John Adams, September 1, 1781.

Thomas McKean to William Livingston and Joseph Reed

Sir, Philadelphia September 11. 1781.

Your Excellency will receive inclosed herewith an Act of Congress of yesterday, containing a requisition of three thousand Militia of each of the States of Pennsylvania & New Jersey, to be properly officered and equipped. An apprehension of a sudden invasion of the State of New Jersey, and of an attempt on Philadelphia, by the Enemy at New York, gave rise to this recommendation; and the safety of both will, I rest assured, induce each State to make the most strenuous efforts on this occasion.[1]

I wish you all manner of Success in this arduous work, and that the machinations of our Enemies may be entirely defeated. With the utmost respect & regard, I am, Sir, Your Excellency's Most obedient Humble Servant, Tho M:Kean President[2]

RC (NjMoHP: Lloyd W. Smith Collection). Addressed: "His Excellency Joseph Reed Esquire." RC (NN: William Livingston Papers). Addressed: "His Excellency William Livingston Esqr."

[1] For the enclosed September 10 resolution, which was adopted upon a recommendation of the Board of War of the same day, see *JCC*, 21:947; and PCC, item 148, 1:421–24. For Pennsylvania's mobilization of the militia herewith requested, and the reaction of the superintendent of finance to this drain on the provisions and supplies of the middle states, see Morris, *Papers* (Ferguson), 2:254–56, 258–60.

[2] McKean also wrote a brief letter this day to William Grayson notifying him that Congress had accepted his request to resign "as commissioner in the war office." See *JCC*, 21:945; and PCC, item 16, fols. 75–76, item 78, 10:365–66.

William Sharpe to Samuel Huntington

Dear Sir, Philadelphia Sepr. 11. 1781

I have had the honor of receiving your several letters of the 16th and 27th August and would have answered last post, but for being absent in the country.

It is with great pleasure I congratulate you on the safe arival of comte de Grasse with 28 sail of the line in the Chesapeake—for farther particulars I beg leave to refer you to Genl. Gists letter in the inclosed paper, since which we have only the same confirmed by a letter from the Marquis.

Our river craft have been so destroyed or taken that the greater part of Genl. Washingtons army will have to march all the way by land. It is expected that about this evening the comr. in chief will reach the Marquis to take command.

As Cornwallis did not fight immediately it is supposed he will act on the defensive, in hopes of relief. We have no certain account of the destination or arival of comte de Barras in the Chesapeake. The Minister of France appears easy on this point—I therefore conjecture that squadron may have other objects. Last Wensday Adml. Graves fleet consisting of 19 or 20 of the line were seen off the capes of Delaware standing to the southward, which is the last we have heard of them.

The extreme heat of the season and the fatague which Genl. Greenes army have undergone induced him to take post at the highhills of Santee, thirty five miles below Camden, in order to rest and refresh his troops, where he will probably remain 'till about this time. Genls Sumter and Marian were very successful in striking the enemys post at Dorchester, Monks Corner &c—but Genl. Greenes distance was so great that they were obliged to retire to Santee.

The enemy moved from Orrangeburg up to the Congarie. Genl Greene has hopes of giving them a stroke in due season.

Reports say that Arnold is burning & plundering in your State.

Sundry descents from New York on the country may reasonably be expected, otherwise Sir Henry cannot answer it to his Court. We might have apprehensions of this City could he see his retreat elligible.

Colo. Laurens has executed his mission with admirable effect and dispatch. He has brought to Boston 17,000 stand of arms, a large quantity of cloathing—military Stores, medicene &c &c. He has also brought from the coffers of our ally two million five hundred thousand livres. This under the direction of Mr. Morris will give vigor to our military operations. On the whole our affairs at present wear a pleasing aspect; but let us remember that naval and military operations are attended with all those contingencies and uncertainty to which human affairs are liable.

I beg Mrs. Huntington may accept my best compliments.

With great respect & esteem I am, My dear Sir, Your Most Obt. Humble Servt. Wm. Sharpe

P.S. I shall depart hence the 1st Octr.

RC (NN: Emmet Collection).

Virginia Delegates to Thomas Nelson

Sir No. 9. Philada. Sepr. 11th. 1781.

Another post has arrived without our being favored with a line from your Excellency.

A letter has been received by the President of this State from Governor Livingston containing intelligence that General Clinton is preparing to embark a large body of troops at N. York which is to be landed in the Jerseys and to penetrate Southwardly in order to controul the reinforcements going to Virginia. The posture of opposition which we hope will be taken by this State and that of N Jersey, with the force under Genl. Heath on the North River which will be in the rear of such a movement render it very little formidable.

We have had no information since our last either of the British fleet under Admirals Graves & Hood, or of that of the French under Admiral de Barras.

With sentiments of the highest esteem & respect We have the honor to be Yr. Excellency's Most obedt. & humble servants,

Jos. Jones. Theok. Bland
J Madison Junr Edm. Randolph.

RC (Vi: Continental Congress Papers). Written by Madison and signed by Madison, Bland, Jones, and Randolph.

John Witherspoon to William Livingston

Sir

Philadelphia Sept. 11. 1781

Yesterday I was favoured with your Excellencys Letter & that which you wrote to President Reed was also laid before Congress. They came to Resolution which will be transmitted to you by the President.[1] We have no News from the Southward further than what is already made public. There seems to me some Uncertainty on the taking of Lord Rawden. Neither the Marquiss's Letter to Congress nor the C. de Grasse's Letter to the Minister of France mention it but a Capt of a Flag who was aboard the French Admiral says it is true. We are somewhat anxious about Clintons Motions. We have been alarmed this Morning with an Account that Arnold had burned New London.[2] I shall be obliged to return the End of this Week or beginning of the next to prepare for Commencement & then we expect Mr Houston down at least for a few Days.[3] I am your Excellencys most obedt. humble Servant.

Jno Witherspoon

RC (NN: Livingston Papers).

[1] See Thomas McKean to Livingston and to Joseph Reed, this date.

[2] New London, Conn., had been attacked and burned on September 6 by a British raiding party commanded by Benedict Arnold. William W. Harris, *The Battle of Groton Heights: A Collection of Narratives* . . . (New London, Conn.: Charles Allyn, 1882).

[3] That is, commencement at the College of New Jersey, where Witherspoon served as president and William C. Houston was professor of mathematics and natural philosophy.

Thomas McKean to Certain States

Sir,

Philada Septr. 12th. 1781.

Inclosed herewith your Excellency will receive an Act of Congress of the 10th instant, acknowledging the Sieur Holker as Consul General of France in the States of New York, New-Jersey, Pennsylvania & Delaware, and a form of an Exequatur or notification of his quality, which is recommended as proper to be used by those States upon the occasion.[1]

Similar forms are to be used in all such cases hereafter, as you will perceive by an Act of Congress of the 31st August herewith also inclosed.

I have the honor to be &c &c T. McK. President.

LB (DNA: PCC, item 16). Addressed: "To Governor Clinton. N.B. The like verbatim to Governor Livingston, and to Presidents Reed & Rodney."

[1] Congress had been notified of Jean Holker's consular appointment in a September 10 letter from the chevalier de La Luzerne, which is in PCC, item 95, 1:300–303.

and Wharton, *Diplomatic Correspondence*, 4:703. See *JCC*, 21:946; and McKean to La Luzerne, September 21, 1781.

Thomas McKean to William Heath

Sir, Philadelphia September 12. 1781.

I have the honor to transmit you inclosed herewith the Copy of an Act of Congress of the 7th instant respecting the forage consumed by the allied Army in the county of West Chester & State of New York;[1] and at the same time to acknowledge the receipt of your letter of the 5th on the 10th inst. which has been read in Congress and referred to the Board of War.[2]

The frequent captures of our mails to the Eastward has occasioned an Act of Congress of the 11th of which you have a copy also inclosed.[3]

I am, with great regard & consideration, sir, Your most obedient humble Servant, Tho M:Kean President

RC (MHi: Heath Papers). In a clerical hand and signed by McKean.

[1] *JCC*, 21:943–44.

[2] See *JCC*, 21:944; and PCC, item 157, fols. 286–89.

[3] This resolve directed Heath "to order a proper escort for the safe conveyance of the mail between the post offices at Morristown and Fish Kill." *JCC*, 21:948.

Roger Sherman to Samuel Huntington

Sir Philadelphia Sepr 13th. 1781

I received Your Letter of the 27th ulto. by Mr Brown. Am glad to hear that your Health is repaired. General Washington and the French Army & part of the American Troops passed through this City on their way to Virginia. Coun: De Grass is arrived in the Cheasapeak with 28 Ships of the Line and Some Frigates, and about 5000 Land forces which landed South of James River and joined our Army. We have no news of a junction of the Fleet from Rhode Island with Count De Grasse—but 'tis Supposed that Lord Cornwallis and his army are So blocked up on every Side that they cant escape; time will Soon determine that Event. Our latest accounts from the Southward are that the Enemy are confined to Charlestown and Savannah, that S. Carolina & Georgia have reassumed Civil Government, tho' we have not received official accounts of all the Posts in S. Carolina being Evacuated. Col. John Lawrence performed the whole of the business that he was charged with to good Satisfaction, he brings no accounts of political affairs in Europe. He says his father is yet confined in the Tower, but his friends are allowed to visit him. That Col. John Trumbull is also confined but his friends have access to him. The direction of our Navy is committed to the Superintendant of Finance till further Order. It was agreed to appoint an Agent of Marine with one Clerk the agent to have 1500 dollars per annum, and ballots were taken but no person Elected.

There is a new arrangement of the Treasury department. There is to be a Controller, a suitable number of auditors & Clerks to Liquidate accounts, a Register to keep the public accounts, a Treasurer to receive and pay out the monies, on the orders of Congress or the Superintendant of Finance. The office of treasurer of Loans is abolished & the duties of it annexed to the office of Treasurer of the united States. Col. Grayson has resigned his office in the Board of War. Five states are unrepresented, the President was desired to write to the Executives, to Send on their Delegates—but his Letters fell into the hands of the Enemy by the Post being taken at Pompton, an Escort is Since ordered between Morristown & Fishkill. Congress have directed the Committee on the Post office to confer with the Superintendant of Finance & Post Master General, and report a new arrangement. The Superintendant thinks the Postage ought to be reduced to what it was originally & Some of the officers discharged, and Franks to be taken off—or put under a different regulation, but thinks it must be kept in the hands of the public during the war. Something I hope will Soon be done. We have a report that New London is burnt but dont fully credit it.[1] I hope our people on the Sea Coast will be on their Guard, for I imagine that the Enemy will attempt to make what depretations they can in the absence of our main Army. I wrote to You by the ⟨*Post*⟩ about the last of August expecting the Letter would meet you at New Haven on the circuit.[2]

I am Sir with great respect, Your humble Servant,

Roger Sherman

RC (CtY: Eliot Family Collection). Endorsed by Huntington: "receivd 24th Septemr. Answerd Octor 12th."

[1] See John Witherspoon to William Livingston, September 11, note 2.

[2] The last letter from Sherman to Huntington that has been found is dated August 20, 1781.

Ezra L'Hommedieu to John Tayler

Dear Sr.[1]

Philadelphia Sept. 14 1781.

I was favoured with your kind Letter by Doctor Young, and a little before by Mr. Van Voort, I received one from Mr Cuyler, requesting the Relinquishment of the Location to the Island agreable to your Information. By this Conveyance I have retained him for Answer

"That I was sorry that I could not consistant with my Interest & Engagements comply with his Request, that a friend I met with at Albany last Winter (a Refugee) advanced the money to me to make the Location expecting I might make something by it hereafter and purchase some lands adjoining, which I concluded were the same that he had secured, that should I give up the Location he would expect the Preference, and that at present I could not consent to part with the Island which I had reason to believe was an advantageous Location trusting to the Location of Other Lands hereafter in Lieu thereof. That it would give me great pleasure to Oblige him in this Particular, at the same time I was assured that he would not accept of any offer from me (under my present Circumstances) contrary to my Interest." If you think it advisable you can tell him that he & I had one motive in Locating vizt making Profit, & likely I should pursue that Object and probably would sell it hereafter if I could get an Price to my Mind, but in this act your own Judgment.

You will no doubt expect considerable news by this Conveyance, but I fear I can give you Nothing New to be depended on. We have had nothing from the Marquis's Army Since the Landing the Troops from De Grasse's Fleet. It is beleived in town that Count De Barras has joined De Grasse if so there are now in the Bay 35 ships of the Line. It is likewise reported to day with probability of Truth that Admiral Digby this week was on the Coast & that Troops were imbarking at New York. With this addition the English fleet will be 29 Ships of the Line, should there be a naval Engagement perhaps it will be the greatest ever known. It is probable that the Circumstance of the french Squadrons being in the Bay may give them an Advantage besides their Superiority in Number of Ships & Guns. General Washington before this (about Wednesday last) must have arrived at the Marquis Camp in Virginia & probably the Troops that went by water, which were mostly Americans. At the Head of Elk, they, both officers & privates received one months Pay in hard money, our poor Line would scarce beleive their own Eyes. This has given them Spirits & put them in good Humour. The Arrival of Colo Lawrens with Arms, other Military Stores, Cloathing & Hard Money was exceeding fortunate. Doctor Young I expect will succeed in his application, & probably will leave Town next Week, by him I shall do myself the Pleasure to communicate any thing New we may then Have. I expected by this Time to have returned, but it being the Opinion of many high in office in Our State that we ought to stay longer being justified in so doing, by the Resolutions of Our Appointment; 'tis likely we shall continue till sometime in the Beginning of next month: altho we shall be obliged to spend on our private funds. A New Arrangement has taken Place for settling the public Accounts agreable to a Plan of the Superintendant of Finance, by which means the Board of Treasury, Chambers of Accounts &c will soon be at an End. This System will be more simple and less Expensive than the former. It may not be expedient to mention this at present as it may impede the public Business if any thing should happen that might prevent its taking place according to Expectation. Except the public Accounts are soon settled or the People have reason to beleive they soon will be, little specific supplies can be expected from the States in the future, as each state claims to have done more than its proportion. Paper Money, I mean the New Continental, has appreciated in this State from ten for one, to Two for one, the present Exchange. I should be glad to see the same in our State, but do not expect it, unless the New Legislature, should be more inclined to call it in by Taxes, than I fear they will be.

Since writing the above I have heard that it is reported in Town by persons from the Southward that Cornwallis on hearing of the Movement of Genll. Washington put his Troops on half Allowance, that he had 1000 Negros sick with Small pox which proved very mortal among them, and that his army was very sickly. This probably may be true, but wants Confirmation, as it comes thro' many Hands. The present is a most important Crisis, should we be sucessful in Virginia an honorable Peace probably would be the Consequence, otherwise Great Brittain might be induced to continue the War another Campaign.

We have nothing late from Genl Green. His Successes have been remarkable, and civil Government is now established in South Carolina & Georgia. I send you the Papers altho they contain nothing important more than probably you have seen. You will excuse this hasty & incorrect Letter as I have not time to look over it. Present my Compliments to Mrs. Tayler & her little Daughter.

I am, Dear Sr with great Respect, Your most Hum Sevt,

Ezra LHommedieu

RC (N: Miscellaneous Manuscripts). Addressed: "John Taylor Esquire."

[1] See L'Hommedieu to Tayler, Aug. 11, 1781.

James Lovell to Elbridge Gerry

Dear Sir Sepr. 14. 1781

I wrote to you a few days ago by Express and mentioned that I could then only send you Part of yr. Letter of May 20th published by Rivinton. I am possessed of the Gazette now from which for yr. Satisfaction I have extracted all the Rest.[1] That Fellow has the Contents of a *fifth* Mail; but, the Letters were so very insignificant towards State Purposes, that he is reduced to the Necessity of pretending to furnish Entertainment by the "*verbatim*" and "*literatim*"

Exhibition of them, and has consequently made large Alterations in the Spelling, capitalizing & Pointing.

You must be expecting great News from this Quarter; but, depend upon it, you shall not catch me giving *Baltimore Stories*.[2] I will send nothing but what shall be authentic. We have much to hope from regular movements; and I believe the Plan of our Allies is so laid as not to make rash Attempts necessary thro Pinch of Time.

The movements of the Army have so multiplied Business upon the Financier that he has not yet reported on that Point to which yr. Letter of May 20 referred; [3] but, his Scheme is prepared, and you may rely upon it he intends Justice.

I do not find by yr. last Letters whether you are decided as to the Delegation but you seem to think me so as to returning Home. I have been stimulated to such a Determination but have not yet come into it. Prudence on a private Scale absolutely forbids it; and Justice to the Public is against it also: I mean against a *Visit* not a Resignation. For I must either make that Visit and remain totally without any Sort of Income; or I must go into some temporary Means of supporting my Family during the Period which would not be a reputable one perhaps considering me as an Existing Delegate. I should not be ashamed to accept a *stated* Clerkship in a Counting House if I was out of the Congressional Line but to act *temporarily* in that Way meerly to enable me to look at Boston would naturally drawn forth unpleasing Reflexions. If I can contrive to mix some Interest with my Pleasure in a suitable Way I would gladly spend some Weeks at Home.

I am not afraid to own to you, my Friend, that I think *old Watchmen* were at no Time more necessary *here*. I do not hint at bad Hearts but at too fruitful Heads, exuberant Genii, erratic Spirits, who require Fabian Controul.

I wish to hear from you by all private Opportunities and remain, Sir yr. obliged Friend, J L.

RC (MHi: Gerry-Knight Collection).

[1] The remainder of Gerry's May 20 letter which Lovell enclosed was from the June 9, 1781, issue of James Rivington's *New York Royal Gazette*. See also Lovell to Gerry, August 10, 1781, note 1.

[2] Lovell's coloquial expression for false or exaggerated reports.

[3] That is, the redemption of old Continental currency.

James Lovell to Abigail Adams

Madam, Sepr. 15. 1781

Under a Date of Aug. 24 I did myself the Pleasure to endeavour to convey to you later Information respecting your dear Connection in Holland than you had before received, but my Letter was with others carried to N York. Mr. Adams & Family were well May 28th; and he had a few Days before taken upon him self much more of public Character than at any prior Time.[1] Instead of Lodgings he took an House with Equipage and Servants in Proportion. It was judged to be according to the Wishes of the Dutch Government. Capt. Mason who gave me the Information had been captured so that he cautiously sunk all his Dispatches. I do not find any Particulars by Mr. Laurens worth communicating in regard to the Affairs of Holland. I have before me a Letter of Mr. Adams to him dated May 8th in which he says. "I have communicated my Credentials to the States General, who after the Deliberations which the Form of their Constitution requires will determine whether they can receive them or not. It will probably be *long* before they decide."[2] His Change in Appearance towards the End of the Month makes me conjecture he was a little mistaken. He must in a few Days after Writing have received our Resolves passed March 1st upon the compleat Signature of the Articles of Confederation, which gave him new Confidence.

Perhaps before the Chevalr. L'Etombe, the Bearer, leaves Philada. we may have Something authentic from Cheseapeak of the agreable Kind: I will not give you *Baltimore Reports*, which are become proverbial, for Falsities.

Rivington got so little by the late Capture of our Mail, that he was induced to misspell, mispoint, and misletter to afford Amusement to his Customers by the Assurance of a *literatim* & *verbatim* Publication. My Letter is printed without being directed to any Body and is signed J.S.

I imprudently mentioned that you might momently expect Commodore Gillon, and a Capt. Eden at Boston. I now hope they are arrived.

I wish you every Happiness and am with much Esteem, Your humble Servant,

JL

RC (MHi: Adams Papers). Adams, *Family Correspondence* (Butterfield), 4:212–13. Although Burnett printed a letter from Lovell to Abigail under this date, the document is actually one of another date, for which see ibid., p. 213n; Lovell to Abigail Adams, July 13, 1781; and Burnett, *Letters*, 6:219.

[1] See Lovell to Elizabeth Dana, August 23, 1781, note 2.

[2] Lovell was quoting from John Adams' May 8, 1781, letter to John Laurens, which is printed in Adams, *Works* (Adams), 7:415–16.

James Lovell to Samuel Adams

Sir July [*i.e.* September][1] 15. 1781

I have already told you that the Resolves of the General Assembly of June 30th did not reach us till the 27th of Augst.[2] They have been committed to the Financier to whom had been before committed a Report upon the Letter from Messrs. Gorham, Lowell & Higginson. The Financier has been so pressed by the Business of the moving Army that he has had almost no Leisure to plan Systems till within a Day or two, and I now know that he has digested the Business which you wrote about. I expect he will lay it before Congress on Monday: But I must own to you that I am sorry to have it so soon altho I know our State expects a speedy Answer to the Queries made about the old Emissions.[3] We are now only 7/13 represented and there are the Delegates of the Culprit States to vote for Justice to Massachusetts. N. Hamp., Con., Jer., Del., Mar & N Car. are unrepresented. N Jersey & Maryland are much in the Condition of Massachusetts, as to Compliance with the Plan of March 18. I will give you the earliest notice of the Proceedings of Congress upon the Report of the Financier.

Monsr. L'Etombe will be able to give you the News of this City, at present we have only *Baltimore-Reports* which are like what used to be termed in our State *Fishermen's News*.

I wish you Health and Happiness, and am, Sir, Your Friend & Humble Servant, James Lovell

RC (NN: Samuel Adams Papers).

[1] Although Lovell clearly wrote "July," the contents of this letter indicate that it was written in September.

[2] No such letter from Lovell to Adams has been found.

[3] The Massachusetts resolves of June 30 calling for an equitable plan to settle Massachusetts' accounts and redeem "old Emissions" were not referred to Robert Morris until September 10. Morris, however, had already received several communications from Massachusetts officials on this subject, and in his response to governor John Hancock of this date he simply stated that Massachusetts' concerns would be dealt with in his general plan for settlement of state accounts. See *JCC*, 21:947; Morris, *Papers* (Ferguson), 2:281–83; and Samuel Osgood to John Lowell, July 10 and August 28, 1781.

Thomas McKean to George Washington

Sir, (private) Philadelphia, September 15. 1781

The following intelligence, tho' not derived thro' any official or authentic channel, appears to be of sufficient consequence to be communicated to you without delay. I have just now received intelligence, that a Brig arrived at New-York on Monday last from England, with Dispatches for Admiral Digby; she sailed nine days after the Admiral. On Tuesday two Frigates came up, who announced the arrival of Admiral Digby on the coast (the number of Men of war not known) with a Fleet consisting of upwards of an hundred Sail, having Troops on Board, the amount not mentioned: these Frigates returned for the Admiral in a few hours.

Two dispatch Vessels had arrived from Cornwallis after the appearance of the french Fleet in Chesapeake—Between thiry & forty large Transports lay at New-York on Tuesday ready to sail, and more were getting ready—Sir Henry Clinton is said to be going with them. Their destination unknown but conjectured to be either for Virginia or Delaware Bay. From forty to sixty Negroes are sent on Board these vessels, who are said to belong to persons in Virginia, and are to be returned to their respective Masters by the advice of Lord Cornwallis.

On Sunday Arnold returned to New-York from an Expedition to New-London in Connecticut, leaving his Troops on Board the Transports in Huntington Bay. He has destroyed all the Stores & Shipping at that place, except six vessels that escaped by favor of the wind. The two fortifications there were taken by Assault, and all put to the sword, except eleven men who had hid themselves. After plundering New-London he burnt it, leaving only three or four houses standing. It is said he is going on another Expedition immediately.

The Minister of France will communicate this intelligence to Count de Grasse. An anxiety to be serviceable induces me to give you this information, tho' the evidence of the truth of it is not quite satisfactory, as I have not a line respecting any part of it from any person officially, not even of the destruction of New-London. General Heath indeed, in a Postcript to his letter of the 5th instant, mentions, that 26 large Ships were seen sailing up the Sound opposite to Stamford on the Sunday preceding, but he had learned nothing more of them.

By the english papers, as well as Rivington's Gazette, Digby's Fleet is said to consist of ten Ships of the line; therefore I do not think they can exceed that number, tho' they may be less.

There are three thousand Militia to be forthwith embodyed in this State, and the like number in New Jersey. The requisition of Congress has been already received by the respective governors, and orders are gone out in consequence.[1]

Never had we occasion for more wisdom, vigilance and activity. I pray God to preserve your health, and to guide, direct and protect us all in this hour of trial; and am, Sir, with unfeigned respect & esteem, Your Excellency's Most obedient & most humble Servant,

Thos M:Kean

RC (DLC: Washington Papers). In a clerical hand and signed by McKean.

[1] See McKean to William Livingston and Joseph Reed, September 11, 1781.

Roger Sherman to Jonathan Trumbull, Sr.

Sir Philadelphia Sepr. 15th. 1781

I was honored with Your Excellency's Letter of the 29th of August by Mr. Brown. General Washington, the French Army & part of the American Troops pass through this City on their way to Virginia, Count Degrass is arrived there with 28 Ships of the Line, Some Frigates and about 5000 Land forces, the Troops Landed on the South Side of James River, & joined the Marquis De la Fayette. 'Tis Supposed that Lord Cornwallis and his army are So blocked up that they cannot escape being captured. Col. Laurens Accomplished the business he was Charged with at the Court of France, to good Satisfaction, he has brought over about 13000 Stand of Arms, a quantity of clothing, Ammunition and other Warlike Stores, and about two Millions of Livres in money which is put under the direction of the Superintendant of Finance. Colo. Lawrence does not bring any political news, he Says that his father & Your Son[1] are yet confined in London, but their friends are allowed to visit them.

There is a Committee for making the Estimate of Supplies for next Year, I Suppose the Mode of obtaining the Supplies will be under the direction of the Superintendant of Finance. By a resolution passed this week the Navy is put under his direction until further order and the Board of Admiralty & Navy boards are abolished. There is also a new arrangement of the Treasury department. The Board is to be abolished the 20th of this Month, there is to be a Controller, and as many auditors and Clerks as the Superintendant Shall judge Necessary to Liquidate public accounts.

A new arrangement of the Post office is also preparing.[2] It is proposed to reduce the Postage to what it was before the War, and So to regulate it that it may defray the Charges of the office with out expence to the public.

Thursday the 13th of December next is appointed to be observed as a Day of Thanks giving throughout the United States, and a Committee is appointed to prepare a Suitable Proclamation.[3]

I have heard nothing from the State of Vermont Since their Agents left this place in August but expect Delegates will Soon arrive from thence to Congress in Case they comply with the only condition of their being admitted into the union, which is to relinquish their claims to the encroachments lately made on the States of New Hamshire & New York.

It has been reported here that New London is burnt by the Enemy, but I hope it is Not true; but fear they will make Some devastations on the Sea-Coasts, unless they are well guarded.

There are five States Not represented in Congress, the President wrote by order of Congress to the Executives of those States, to inform them of the Necessity of their Delegates coming on immediately, those Sent Eastward were taken in the Mail & carried to New York the beginning of this month. Congress have Since ordered an Escort for the Safe conveyance of the Mail between Morristown & Fishkill.

I am much Obliged to your Excellency for the money Sent me by Mr. Brown. I applied to the Secretary for Some Naval Commissions and he Says he has put Some up and will deliver them to Mr. Brown.

I have Enclosed Some of the last Papers which contain what little news we have here.

I have the honor to be, with great Esteem & Regard, your Excellency's most obedient & most humble Servant,

Roger Sherman

RC (Ct: Trumbull Papers).

[1] That is, Henry Laurens and John Trumbull.

[2] This plan was the outgrowth of Sherman's August 1 motion ordering the post office committee, the postmaster general, and the superintendent of finance to "prepare and report the state of the present expences of the Post Office, and a system for regulating the same in future." The date for implementing the new plan that was approved by Congress on October 19 was later postponed from December 1 to January 1, 1782. See *JCC*, 21:820, 828, 1066–68, 1131; and Morris, *Papers* (Ferguson), 1:386–87, 3:11–12.

[3] Sherman was not only a member of this committee but he had also offered the motion calling for the observance of a day of public thanksgiving. *JCC*, 21:957–58.

Charles Thomson to Meriwether Smith

Sir,

Sept 15. 1781

You desire to know my Opinion with regard to the sentiments & conduct of Congress in the Advances made to members on Account of their States in the fall of the year 1779. I have examined the journals to assist my recollection. The practice of making advances to individual members was first introduced from necessity & was practised partially & sparingly, afterwards it became so general that most of the members & states seemed to depend upon it. Some of the states seemed at last to disapprove the measure, and as far as I can recollect the members from New Jersey first testified against it. And I well remember that some members seemed pleased with the vote of Congress for stopping farther emissions, as this would naturally put an end to such grants. However money was still granted to members on their application, but it always appeared to me to be given with reluctance after that vote, & the reluctance seemed to encrease as the money in the treasury diminished, until at last it produced a regular motion to put a total stop to such advances. This, from the circumstances of individuals who were too far distant from home to receive immediate supplies, was at that time waved. But soon after a recommendation was sent to the states to make provision for their respective delegates.[1] The above is the most succinct & satisfactory account I can give of the matter.

I am with much respect, Sr., Your Most obedient humble Servt

Cha Thomson

RC (Vi: Continental Congress Papers).

[1] That is, the states were requested by a resolve of September 29, 1780, "to supply their delegates with money for their support by other means than drawing on the treasury," for which see these *Letters*, 16:137. As Thomson explained to Smith, the journals contain no indication that Congress took any other formal action on the subject.

Samuel J. Atlee to Joseph Reed

Sir, Sept. 17th. 1781.

I am desired to inclose an Extract of the Resolves of Congress of this day.

The Committee wou'd be glad to know when they can see Councill upon the Subject of your Excellencys Letter—and the Extract of Govr. Livingstons.[1]

I am your Excellencys Most obt. Servt. Saml J Atlee

RC (CtY: Franklin Papers).

[1] Reed had just received intelligence from Gov. William Livingston suggesting that Sir Henry Clinton's troops at Staten Island were about to invade New Jersey, and Congress immediately referred Reed's letter to a committee consisting of Atlee, Elias Boudinot, and James M. Varnum, who were "instructed to confer with the supreme executive council of Pensylvania on the subject." See *JCC*, 21:969; and PCC, item 69, 2:393–97. Despite fears of such an invasion to relieve the pressure on Lord Cornwallis' troops in Virginia, General Clinton was unable to mount any such diversion.

Elias Boudinot to William Livingston

Dr. Sir, Philadelphia September 17th. 1781

I arrived here on Friday Evening,[1] but on going into Congress, was mortifyed by finding Dr. Witherspoon was gone home, so that I am here alone & the State unrepresented.

Enclosed your Excellency has an intercepted Letter,[2] sent us among others, by Genll. Greene.

The Writer is a recruiting Officer in New York, and has Agents in our State for supplying him with recruits.

Your Excellency will undoubtedly take proper Measures to secure MacNeal, who may still be at Kingwood, and I think some Notice should be taken of Harrison, who is Mr. Erskins Book keeper.

I dare not write the News of the Day, as there is nothing to be depended on. Various Reports of the French Fleet sailing & beating the English; but no certainty.

We recd. a Letter from the Comr. in Chief from Dumfries.[3] He expected to Join the Marquis on Friday last.

I have the honor to be with due Respect, Your Excellency's Most Obedt. Hble Serv.

Elias Boudinot

Sept. 19. No News in Congress. I see a Letter recd this Day from Annapolis, that informs, that Count de G[rasse] had gone out to sea leaving 4 74 Gun Ships in the Harbor.

That the English slipped in & attacked the 4 Ships, who behaved nobly, till the Count returning put the English to flight. After this Mons De Barras joind the Count. He took on his passage a 44 gun Ship, 2 frigates & 2 Transports.

The Privateer Congress arrived to day, with an English Sloop of War of 18 Guns the Savage.

RC (NN: Livingston Papers).

[1] Boudinot had gone to Trenton to argue a case in the Court of Chancery, from where he had written to Thomas McKean on September 11 reporting news of the movement of the British fleet and troops at New York. He had also reported that "I hope to be with you in two or three days." McKean Papers, PHi.

[2] Not identified; but the letter was among those captured by Gen. Francis Marion "near Monks corner" and transmitted to Congress by General Greene with his August 26 letter to Thomas McKean, which was read in Congress this day and referred to the Board of War. See *JCC*, 21:969; and PCC, item 155, 2:247–48.

[3] For Washington's brief September 12 letter to President McKean which was read in Congress this day, see PCC, item 152, 10:245; and *JCC*, 21:970.

Rhode Island Delegates to William Greene

Sir

Philadelphia 17th Septr. 1781.

On Friday last his Excellency General Washington joined the Marquis de la Fayette; and we are fully convinced that nothing but a Miricle can rescue Lord Cornwallis and his Army from our Hands. By Letters from Baltimore we are informed that Admiral Greaves lately made an Attack upon the French Fleet in the Chesepeak, and was repulsed; That the next day Count de Grass put to Sea, leaving two Seventy fours and a Frigate to block up the Entrance of York River, and attacked the British; that a severe Conflict ensued, in wch. the noble Count dispersed his Antagonists' Fleet; that he captured two seventy fours and three Frigates, and sent them into the Chesepeak, with seven of his own Ships, and was pursuing the Fugitives. This Information is not official, but has every Circumstance inducing Credibility. Count de Barras had not joined by the last Advices, but this Event will place him beyond Danger. Admiral Digby is hourly expected with a Squadron from six to ten Ships of the Line; his Arrival will make no Difference. Sir Henry Clinton is on the west End of Long Island with four Thousand Troops ready for an Expedition—Philadelphia is thought to be his Object.

We shall want about Eight hundred Dollars to enable us to finish our Accounts in Philadelphia, and return to Rhode Island in November. We are sensible the Sum will appear large; but we cannot avoid it. We are governed by the strictest Frugality, as our Accounts will shew, when exhibited; but the necessary Expenditures here are very great.

We have the honor of being, with the greatest Respect, your Excellency's most obedient & very humble Servants,

Danl Mowry

J M Varnum

RC (R-Ar: Letters to Governors). Written by Varnum and signed by Varnum and Mowry.

James M. Varnum to Nathanael Greene

Sir Philadelphia 17th Septr. 1781

Your Letter of the 25th Ulto. at Cambden to Congress I have been honor'd with the Sight of.[1] The tragical Exit of Colo. Hayne has excited universal Abhorrence in this Quarter. In affairs so delicate and important it is very difficult to embrace and pursue with Equanimity the most eligible Measures. Those intimately connected are very much addicted to furious Passion and call upon Mankind for immediate Revenge. Refusal may be construed into Timidity or Reglect [Neglect?] and the Mind reclines in sullin Quietude. Time however and rational Reflection will restore our Sensibilities to their native Tone, and admit Philosophy into a Suppression of the inordinate Sallies of Humanity. These Observations will strictly apply when I inform you that speedy, ample and severe Retaliation has been demanded in Congress by the Countrymen of that unfortunate Gentleman. Deliberate Bodies, supreme Legislators should be actuated by general Principles, and never feel the Motives urging to particular Recrimination but upon such Occasions as are calculated to excite the Astonishment, the Admiration and Eclat of the Universe. Sufficient is it in appeasing the Manes Of one virtuous Citizen that a commanding General should sacrifice a few British Officers. This, my worthy Friend, I am persuaded you have done. The Stroke in Belfour[2] was political; and if the War is protracted with a View to Conquest and Subjugation, his Conduct must be highly approved upon Principles of Utility; but the same Considerations must induce us to an ample Revenge. This Execution must have ultimately resulted from Lord Cornwallis's Orders while in South Carolina. Many a worthy Victim has been destined to his sanguinary Views. Should the Fortune of War place that nobleman in our Power, then Congress may with Propriety, and I am confident will, give to the World a stricking Instance of Retaliation upon general Principles. Nothing but decided Firmness can restrain the Barbarity of British Insolence and Cruelty. Arnold has lately burnt New London, and murdered upwards of seventy of the best Inhabitants; his own Loss was much greater; but the Attack was so sudden and unexpected that the Militia had not time to collect in Force. I hope the Period is nigh in which we may burn Officers in Return for the Conflagration of defenceless Villages.

I have attended with Pleasure to your Observations upon the Rules of Promotion established by Congress. In a Government formed of federated Republics, it is impossible to obtain the best possible Systems. The Army being partly continental and partly State, a Combination of Interests, almost incompatible with each other, occur and Convenience becomes the controuling Principle. However, when we reflect that in promoting in the Line of a State at large, one Casualty will only transfer one Officer from each Corps, your Reasoning will appear too theoretic to induce a partial Influence. How noble are the Exertions of our generous Ally! The Fleet and Army now acting in America are immense. Nothing less than a Miracle can save Lord Cornwallis and his Army. So great a Victory will give a finishing Turn to our political Manœuveres and compell Great Britain to acknowledge our Independence. We have Just heard that Admiral Greaves has tried his Skill in attacking the Fleet of Count de Grasse, and has met with a severe Repulse. This is probable, and if true, will greatly facilitate the closing Scene of the Drama. Sir Henry Clinton has four Thousand Troops on the West End of Long Island prepared for an Expedition. Philadelphia is thought by many to be the object. This State and New Jersey are called upon for three thousand Militia each. I suppose they will produce them. Great Events will mark the present Year, and I believe, Heaven is about to crown our Efforts with the most brilliant Success, and plunge Great Britain into the deepest Humility in Return for her insupportable Haughtiness. Your Scenes, my good Friend, have displayed a Variety of Colors. Distress has surrounded you on every Side; but you have tryumphed in the midst of Weakness. What in a common Mind would have fixed Despair, in you has paved the Way to unfading Laurels. I have often commiserated my Friend, while I have admired the Hero, but convinced that Heaven has designed you in some future Period, when the Glories of a [. . .] must mingle with their native Skies, to command the Armies of America, I conceive it a divine Favor that you should be thus taught in the School of Adversity. Apropo—I have lately been honored with a Letter from your amiable Lady;[3] She was in fine Health and Spirits; but a little chagrined at your long Absence. You know she possesses Ambition and Philosophy; and I am certain she is as happy as her Situation will admit of—Not a Word about going to the Southward. I determine in my Way home, which will be in November, to make her a Visit at Westerly, and tell her she must not expect to see you 'till the Toilet will be ornamented with the Olive Branch.

I am Sir, with the sincerest Friendship & Esteem, your very obedient and most humble Servt. J M Varnum

RC (NHi: Miscellaneous Manuscripts).

[1] General Greene's long explanatory letter of August 25, which was referred to a special committee of which Varnum was a member, was read in Congress this day. Congress also received a shorter letter from Greene dated August 25, enclosing several captured British letters, and additional letters from Greene, dated August 17 and 26. See *JCC*, 21:969; and PCC, item 155, 2:231–36, 239–48, 251–52.

[2] Lt. Col. Nisbet Balfour, the British Commandant at Charleston who had ordered the execution of Isaac Hayne.

[3] For Varnum's response to this September 10 letter from Greene's wife, see Varnum to Catherine Greene, October 2, 1781.

Daniel Carroll to Thomas Sim Lee

Dear Sr., Philadelphia Sepr. 18th. 1781

I wrote a few lines in answer to your favor of the 7th[1]—Since which My Brother informs me,[2] that a Ps. of land is for Sale which adjoins my Tract on R[ock] Creek & that it can be obtaind on good terms by paying down part of the money. This makes me more desirous of receiving the whole of what is at present allow'd me out of the proceeds of the Tobacco at this place. By what Danl writes me, I beleive he will not be obligd to apply for no more that £68 for the present. Please to let me know if it can be manag'd in the manner you have been so kind as to Suggest.

I have been, & shall continue to be attentive to the grand objects of cloaths, & arms. Mr. John Moylan the Clothier Genl. is a particular acquaintance of mine. I have convers'd with him on the Subject, & have reason to believe a just distribution, will be made. Probably it will be in my power soon to give you some particular information on this Subject.

Not a line from you this post. You will see it mentiond in the enclosd paper that a frigate is arrivd at Boston. She left France about the beginning of Augt—nothing new yet by her—except that the Emperor of Germany was in France, & woud be in Paris the 29th of July. Mr John Adams had come to Paris from Holland.

Present me to yr Lady & all enquiring friends. I have the honor to be, Dr. Sr. Yr. Mo Affte Hble Sev. Danl. Carroll

P.S. Reports from N York say that Admiral Digby is on the Coast with Six Ships of the line.

RC (NN: Emmet Collection).

[1] See Carroll to Lee, September 11, 1781, note 2.

[2] That is, John Carroll.

Daniel of St. Thomas Jenifer to John Hall

My dear Sir, Phila. Sept. 18th. 1781

I was very ill in the Country at a Place of Mr Hills when the last Post returned from the southd. & did not get to Town before Wednesday Night, so that I had not an opportunity of Answering your favor of the 7th Inst.

I congratulate you on the arrival of the French Fleet in the Chesepeake. They will be the cause of the distribution of much hard Money, for Beef & Flour, part of which will I presume Center where it is much wanted I mean in Maryland. Hence forward we must look to that Hemisphere for News. It is reported and indeed inserted by Rivington in his Paper that Adl. Digby with 10 Sail of the Line is on the Coast. If he is, there must be hardknocks. If Clinton cannot throw in succours to Lord Cornwallis, I think he must fall, especially if Virga. exerts herself who at present has not 1000 Regular Troops in all parts. What you say as to Senators is very true, & I wish every man would cautiously & conscensiously view the constitution, & act by it, as you will do. It would be now too late to comply with your request in making out a List, but I sincerely wish you to be one of the body, you would have less trouble than in the other House. I make no doubt but that you will make a good choice and notwithstanding Mr. Chase's personal Enmity to some of the late Members I cannot help thinking but that he must Wish to See a good Senate as the strong security of the Liberty & property of the Citizens of the State. I expect his reply to Mr Carroll will come out about the time of the Election.[1] As soon as it is made, be pleased to enclose me a list of names in the Order they stand as chosen. As to my own part it would not occasion the smallest uneasiness to me were I to be one of the old ones that may be left out. I think Dick Ridgeley if he could make it convenient to Act would make a good member of Senate & the

Courts and assembly seldom set at the same time so that I cannot see why he may not. I expect that Coll Barnes has declined. Mr Chase attacked his understanding so pointedly, that I immagine the Coll is quite disgusted with all public business. I hear that our friend TW has been attacked & severely beat by some person in the disguise of a Drummer pretending to charge him with Crim[inal] Con[versation] with his Wife. No late News from Europe altho a Frigate in 33 days is arrived with dispatches for the Minister. The dispatches bear date the 28th. The Emperor was to be in Paris the day after. This does not look like a Rupture between him and his Brotherly in law. The Congress is still talked of but the King of England persists in his former determination that American independance shall not be mentioned at it. So that it is probable We must fight on. With my respectful Compliments to Mrs. Hall.

I am, My dear Sir, Your obedient and affectionate hble Servt.,

Daniel of St Thos Jenifer

RC (PHi: Dreer Collection).

[1] For the newspaper feud between Samuel Chase and Charles Carroll of Carrollton stemming from the impending election of the Maryland Senate, see Jenifer to Hall, June 5, 1781, note 1.

Joseph Jones to Unknown

Dr. Sr.

Phila. 18th Sept. 1781

I recd. your Letter of the 10th inclosing several from Col. Stewart. No apology wod. have been necessary but from the particular state of our finances which requires that the Post office maintain itself and the complaints from the Post master are frequent that too many Letters pass free. Col Stewart however being of the Military to whom indulgences of the sort should be allowed if to any the transgression of the rule is the more excuseble and as I presume you were ignorant of the fact and it being the first offence you are I think fairly intitled to the benefit of clergy. The 5th day after the Ct. de Grasses arrival in the Bay we had an account of it. Genl. Washington who had just left us met it at Chester. We hear by different private accounts that the British fleet had attempted to dispossess the French of the Bay and were repulsed with the loss of one 74. If this be true the event is important and serves more effectually to establish that naval Superiority upon which our success must depend. Arnold with bet[ween] 1500 & 2000 Troops from N. York went up the Sound and landed at New London, attacked and carryed fort Trumbull by general assault and put great part of the Garrison to the sword. Near 80 are killed, abt. 30 wounded and near 40 prisoners. A party of his Troops under a Col. Montgomery at the same time took the fort on the opposite side the River. They then plundered the Town, burnt the Houses near the Water and carryed of the vessells in the harbour. Accounts from New York also say there are 4000 troops on the W. end of Long Island ready for embarkation and the transports waiting to receive them there it is given out are for Virga. but many suspect this City the object. From the same place we also hear that a frigate lately arrived with information that Adm. Digby was on the Coast. This is not yet confirmed but if he shod. and the Ct. De Grasse had 27 ships of the line exclusive of Ct. Barras's squadron from Rhode Island and this last shod. be united with the former there can be no danger as the French will still be greatly superior even if Digby has 10 ships of the line tho' it is generally thought he will bring but six when he comes. Upon the whole we have good reason to expect success agt. Cornwallis and subduing him we may look forward to more important consequences. Adieu. Yr. obed Sert. Jos. Jones

RC (MnHi: Allyn K. Ford Collection).

Samuel Livermore to Meshech Weare

Hond Sir Philadelphia Septr. 18th 1781.

I am favourd with yours of the 3d instant inclosg the vote concerning the state of yr. treasury & your want of specie to send on the beef cattle: I laid the matter immediately before Congress, & hope to get an answer soon.[1] These difficulties do not come unexpected to me but we must make the best of it. Specie imported from France must circulate some where, I hope Newhampshire will get her share of it, by such articles as she can export. I observe the vote of the court for my remaining here, which is well, perhaps something more will be done before the Court rises. The delegation (of two) is too expensive. I believe we shall overhall the Confederation, & perhaps allow small states to be represented by *one delegate*.[2]

Thursday 13th Decr. next is resolved on by Congress for thanksgiving & a comtee appointed to draw proclamation. I mention this as we were sometimes puzzled to know what to do about the day. I inclose you a paper for the news.

You can hardly conceive how much I long to see you and all friends in N.H. but I must submit. Your most obedt. servt.

Sam Livermore

RC (Nh–Ar: Weare Papers).

[1] The New Hampshire Assembly resolve of August 25 was laid before Congress on September 17 and referred to the Superintendent of Finance. See *JCC*, 21:969; *N. H. State Papers*, 8:912–13; and Livermore to Weare, September 25, 1781.

[2] Although the report of the "Committee appointed to prepare an Exposition of the Confederation" had recently recommended that the states authorize Congress "to vary the rules of suffrage," no action was taken on the proposal and New Hampshire remained unrepresented until November 4, 1782, when Phillips White joined John Taylor Gilman in Congress. Furthermore, as Livermore returned home at the end of April and Gilman did not arrive until June 20, the state was entirely without a voice in Congress for several weeks in the spring. See *JCC*, 21:895–96, 22:338, 23:707.

James Madison to Edmund Pendleton

Dear Sir Philada. Sepr. 18th. 1781

I was yesterday favored with yours of the 10th instant.[1] The various reports arrived of late from Chesapeake prepared us for a confirmation from our correspondents of a fortunate rencontre between the 2 fleets. A continuation of these reports although unsupported by any authentic evidence still keeps up the public anxiety. We have not heard a word of de Barras. The arrival of Digby is far from being certain, and the circulating reports have reduced his force to six ships of the line. The preparations at New York for some movement are pretty well attested. The conjectures of many are directing it against this City, as the most practicable & important object within the reach of Clinton. The successful blow struck by the parricide Arnold against the Town of New London is described as far as the particulars are known here in the inclosed gazettes. There have been several arrivals of late from Europe with very little intelligence of any kind & with none from official sources. It all relates to the junction of the French & Spanish fleets, for the purpose of renewing the investiture of Gibralter, and enterprising something against Minorca. Thus the selfish projects of Spain not only withholds from us the co-operation of their armaments, but diverts in part that of our Allies, & yet we are to reward her with a cession of what constitutes the value of the finest part of America.

Genl. Washington & the Ct. de Rochambeau with the forces under them have I presume by this time got within Virginia. This revolution in our military plan can not fail to produce great advantages to the Southern department and particularly to Virginia, even if the immediate object of it should be unexpectedly frustrated. The presence of the Commander in chief with the proportion of our force which will always attend him, will better protect the Country against the depredations of the Enemy although he should be followed by troops from N. Y. which wd. otherwise remain there, than it has hitherto been, will leave the Militia more at leisure to pursue their occupations at the same time that the demands of the Armies will afford a sure market for the surplus provisions of the Country, will diffuse among them a share of the gold & silver of our Ally & I may now say of our own of wch. their Northern Brethren have hitherto had a monopoly which will be peculiarly grateful to them after having been so long gorged with depreciating paper; and as we may suppose that the Ships of our Ally allotted for our service will so long as his troops remain in the S. States be kept in Chesapeak, it will revive the trade thro' that channel, reduce the price of imported necessaries & raise the staple of the Country once more to its proper value.

I am Dr. sir your sincere friend & obt. servt.

J. Madison Junr.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 3:261–62.

[1] See ibid., pp. 251–53.

William Sharpe to Samuel Huntington

Dear Sir Philadelphia Sepr. 18. 1781.

I wrote you on the 11th by Mr. Brown. The affair of the infamous Arnold at New London is very serious. Surely that villian will not be permitted to go unpunished even in this life.

There are vague reports via New York that Adml. Digby with six ships of the line is on the coast. From several paragraphs in british papers there is reason to apprehend it may be true.

Several days past Sir Henry with about 4000 troops have been on the west end of Long Island ready to embark, as soon some obstacles are removed. It is presumed that Adml. Greaves is gone against Count de Grasse in order to open the communication with Cornwallis. I am in hopes they will fail in this project.

We have not received any official accounts from the Marquis since the commr. in chief passed this place. We are not certain that Count de Barras has joined de Grasse or what is become of him.

Yesterday the City was ringing with reports from Baltimore and the eastern Shore that the enemys fleet had entered the bay, but were driven out and dispersed by the french who were in pursuit of them, and it is added, they had captured and sent into the bay two british 74s and one or two frigates. You know the credit that is generally due to Baltimore intelligence, yet there is a great air of authenticity in those reports. Genl. Washington would reach the Marquis about friday last, so that we need not look for official accounts for two or three days to come.

I suppose Cornwallis means to stand a siege otherwise he would have endeavoured to fight his way out before this time. Our troops that went by water sailed from the head of elk a week ago.

On the 25th of last month Genl. Greene was at Camden, where he intended to cross the Wateree and take a favorable position to strike the enemy who were posted on the Congaree.

Genl. Greene is like to get more effectual aid from North Carolina than he expected.

By a private letter which I received from Genl. Greene yesterday I am happy to find that the conduct of Govr. Burke is satisfactory to him.

I beg Mrs. Huntington to accept my best compliments.

With the highest esteem I have the honor to be, Dear Sir, Your most Obt. Humble Servt. Wm. Sharpe

P.S. I have this moment heard by two private letters just received from Baltimore and the western shore that Count de Barras had arived and brought in with him one 44 two frigates & two transports captured from the enemy—that the enemy had appeared in the bay and were driven out. On the whole I believe there has been some hurry[1] which issued in our favour. W. S.

RC (PHi: Gratz Collection). Endorsed by Huntington: "Honble Wm Sharpe, Letter Sepr 18, 1781, Answerd Octor 10th."

[1] That is, "tumult, stir."

Virginia Delegates to Thomas Nelson

Sr. No. 10 Philadelphia Septr. 18th 1781

We have been honord with Yr. Excellency's favor of the 2d Inst. with its enclosures by Post.[1]

We with great Sincerity return Congratulations to your Excellency and our Country on the happy event of the arrival of so large a reinforcement to our aid, and felicitate them on the Pleasing prospect of Complete Success—not doubting but that the Ardor of our Countrymen on this occasion to cooperate with our Allies, will equal [their] Generous efforts to relieve us. We are informed that our Army on the North River is daily increasing by large accessions of recruits from the Eastern States, and is now in a very respectable Situation as to Numbers,[2] Sufficiently so we hope to keep the Enemy in New York in Cheque notwithstanding the powerfull reinforcement which has marchd to the Southward with the Commander in Chief, however, from the Enemy's Possessing the Command of the Water in that Quarter we are Sorry to inform you it has not been in the power of our Army to prevent them from sending a Considerable detachment to New London in Connecticut, where Mr. Arnold, who Commanded, Landed and attacked a fort Garrisond by about two hundred & fifty men, which, (after a Severe Conflict in which he was twice repulsed) he carried, and put the Greatest part of the Garrison to the Sword; his loss is estimated at near two Hundred men killd, wounded &.c. After seting fire to the

Towns of New London and Groton which were in a great measure consumed he reimbarked, and tis said is returnd to New York. We are also Sorry to Inform you that the frigate of our Ally (the Magicienne), in going out of the Harbour of Boston with a Convoy of American Vessels was attacked by a Superior force of the Enemy and taken after an obstinate and Gallant defense, in which she gave time to her Convoy to escape. By the best accounts we have from N York—the Enemy are preparing an Embarkation of troops—whose destination it is supposed will depend much on the Success of the operations of their fleet to the Southward—tho, some are of opinion that they mean to extend their burning Plan to this City. A large Body of Militia from this State and Jersey are orderd to hold themselves in readiness to oppose such an attempt shd. it be undertaken. We have reports that a Squadron of Men of War under the Command of Ad. Digby is arrived on this Coast—the report seems Probable but wants Confirmation—it is Supposed to consist of not less than Six and not more than ten Ships of the line, tis said he is to take the Command of the whole fleet on his arrival. By some intercepted letters we find there are great discontents in New York at Sr. Henry Clintons Conduct—that they are much distressed for want of Men—giving Six Guineas bounty for Men for three Months—that Arnold has been greatly disappointed in raising his Legion which after all his promises and efforts amounts at present to little more than forty Men the chief of them officers, and that even that number is daily diminishing—they seem to expect he will be laid aside. Mr. Finnies letters shall be handed to Col. Petit, and every exertion in our power used to procure him and the State redress;[3] But in order to ensure Success in this attempt, we cannot too strongly inculcate the necessity of the accounts of the state and of his department being adjusted, and sent on to the office of Finance for Settlement—for without such an adjustment and a Balance appearing due to the State, we concieve it absolutely impracticable to bring Congress to assent an advance on any consideration having heretofore used our Utmost efforts in Vain for that Purpose. We have a report that a fleet of Six French and Six Dutch Ships of the line with a Considerable Body of Land Forces is arrived in the W Indies, but of this there is yet no certainty. We Cannot refrain from informing Your Excellency that altho An Agent[4] is appointed to furnish the delegates with money & we have been long in expectation of remittances of Specific Articles to fix a permanent Credit for us here yet we see little prospect of its being accomplishd soon, and in the meantime it is with Infinite difficulty we have been able to procure the means of Subsistence for ourselves and families which we have been constraind to do by borrowing small [sums?] on our personal Credit—or by Bills drawn at large by the agent in our favor which cannot be discountd at less disadvantage to the State than from

12½ to 20 Per Ct.—this we cannot help thinking a ruinous and disgracefull mode of obtaining money—of which it is our duty to advertize your excellency in hopes that a less ruinous, more honorable and certain expedient may be adopted and that we shall stand excused with our Country for the enhanced expences which such an enormous discount subjects it to.

We are with great respect, Yr. Excellys. most obedt. & very H. Sets

Jos. Jones Theok. Bland

J. Madison Junr. Edmund Randolph.

[*P.S.*] The Parchment Mr. Beckeley wrote for may be obtaind had we funds for so doing.[5]

RC (Vi: Continental Congress Papers). Written by Bland and signed by Bland, Jones, Madison, and Randolph. Apparently opened in Richmond by the Council of State and endorsed: "Virga Delegates Letter, Sepr. 18th. 1781. To Govr. Nelson Covering the whole field of this their Situation." Forwarded to Nelson at Yorktown who also endorsed it: "From Delegates Sepr. 18. 81."

[1] Not found, but for Nelson's brief letter of the same date to Congress, see PCC, item 71, 2:125–26.

[2] For Gen. William Heath's September 5 letter reporting additions to his army, see Thomas McKean to Heath, September 12, 1781, note 2.

[3] For the accounts of Col. William Finnie, former deputy quartermaster general for the southern department, see Madison *Papers* (Hutchinson), 3:59n.6.

[4] That is, Thomas Pleasants, Jr., Philadelphia representative of Virginia commercial agent David Ross.

[5] John Beckley's request has not been found, but as clerk of the Virginia House of Delegates he had apparently asked for parchment upon which assembly bills were engrossed.

Richard Howly to Thomas McKean

Sir. Septembr. the 19th. 1781.

As it is necessary I should repair to the State of Georgia, I take the liberty of requesting thro' your Excellency, that Congress would please to make me an advance of four hundred dollars, exclusive of the one hundred and fifty, which a former resolve has provided for by monthly payments, and which I request may be ordered to me, as I cannot wait untill the first of the next month.[1]

This, Sir, I do assure you will be barely Sufficient with other aids, to enable me to depart this city with Satisfaction, and commence a long and expensive Journey. It is only the necessity of my presence in the State, which overcomes the reluctance I have of troubling Congress at this time.

With Great Respect, I have the honor to be, Sir, yr. Excellency's most obt. Servt. Richd. Howly

RC (DNA: PCC, item 73).

[1] Congress had already agreed on July 30, 1781, to provide "monthly payments" to southern delegates cut off from state support and advanced Howly this day $550 "to enable him to proceed to Georgia." His last recorded vote in Congress was September 21, 1781. See *JCC*, 21:813–14, 817–18, 974, 985. See also Morris, *Papers* (Ferguson), 1:268–69. For similar payments to southern delegates, see William Sharpe to McKean, October 1; and George Walton to McKean, October 10, 1781.

Thomas McKean to William Heath

Sir, Philadelphia, September 19. 1781.

By the advice of Congress I am to inform you,[1] that I have just now got private information, that on Sunday last an embarkation of about five thousand Troops had actually taken place at New York, on board of eighty or ninety transports which were then ready to sail. All the Troops from Long-Island, York-Island & Staten-Island are said to be on board, together with a great number of waggons, horses & light Artillery. Their destination is unknown but supposed to be for the Delaware.

You will be pleased, Sir, to take the necessary precautions upon this intelligence, and to be ready to afford your Assistance as occasion may require.

I am with the greatest regard, Sir, Your most obedient humble Servant,

Tho M:Kean President

RC (MHi: Heath Papers). In a clerical hand and signed by McKean.

[1] *JCC*, 21:975.

Thomas McKean to Caesar Rodney and Matthew Tilghman

Sir, Philada September 19th, 1781

By the advice of Congress I am to inform your Excellency, that I have just now got private information, that on Sunday last an embarkation of about five thousand troops had actually taken place at New-York, on board of eighty or ninety Transports which were then ready to sail. All the Troops from Long-Island, York-Island & Staten-Island are said to be on board, together with a great number of waggons, horses and light Artillery. Their destination is unknown, but rather supposed to be for the Delaware.[1]

My informant further says, that on the 19th instant, (this day) a certain Cornelius Hatfield is to sett off with dispatches for Lord Cornwallis in a small decked Schooner, of the barge or whale-boat construction, carrying a four pounder in the bow and ten or twelve swivels, and having sixteen oars.

You will be pleased, Sir, to take the necessary precautions upon this intelligence; and if Cornelius Hatfield should be apprehended, I am to request that he may be securely confined and guarded.

I am Sir, with the greatest regard &c &c,

T. McK. President

LB (DNA: PCC, item 16). Addressed: "To His Excelly. President Rodney. N.B. The same to the President of the Council of the eastern Shore of Maryland."

[1] According to Secretary Thomson's journal, Congress resolved this day that "Delaware be requested immediately to hold the whole of the militia of that State in readiness, and that one-half of them may be forthwith ordered into the field, as the movements of the enemy at New York indicate an attack in that quarter." The source of this intelligence is not recorded. *JCC*, 21:975.

Committee for Foreign Affairs to William Lee

Sir Philadelphia 20 Sept 1781

The decission of Congress respecting your Letter of April 12 which came to hand on the 4th of this month is herewith transmitted. The period of payment will perhaps be more distant than you wish; but I am at Liberty to assure you from the Superintendant of our Finances that it is his intention to take the earliest possible opportunity to close this business.[1] With much regard I am &c,

Signed James Lovell
Official

FC (DNA: PCC, item 79).

[1] Upon the recommendation of the committee to which Lee's letter had been referred, Congress on September 12 ordered the payment of the balance of Lee's account for his expenses as a commissioner to Austria and Prussia—"forty-two thousand, one hundred and eighty-nine livres tournois . . . with interest at the rate of six percent per annum, from this day," which superintendent Robert Morris subsequently instructed Benjamin Franklin in France to pay. See *JCC*, 21:931, 955; PCC, item 105, fols. 318–19; Wharton, *Diplomatic Correspondence*, 4:361–63; and Morris, *Papers* (Ferguson), 3:280.

James Lovell to Nathanael Greene

Sir Philada. Sepr. 21st. 1781

You once sent some Papers to Congress which *no one about you could decypher*.[1] Should such be the Case with some you have lately forwarded,[2] I presume that the Result of my Pains, herein sent, will be useful to you. I took the Papers out of Congress; and I do not think it necessary to let it be known here what my Success has been

best copy available

in the attempt. For, it appears to me that the Enemy make only such Changes in their Cypher, when they meet with misfortunes, as makes a difference of Position only to the same Alphabet. And therefore, if no Talk of Discovery is made by us here or by your Family, you may be in Chance to draw Benefit this Campaign from my last Night's Watching.

I am Sir, with much Regard, Your Friend,

James Lovell

P.S. Sepr. 22d. With greater Pain than in the Cases of Balfour's & Craig's Epistles, I have also succeeded to find the Key of the Papers which are without date, subscription or intermixture of letters, said to be "intercepted with others dated 7th of March 1781."[3] I do not suppose it now in use; however, I send it. J L

ENCLOSURE

Balfours Letter of Augst. 12th. 1781 to Lt. Col. Stewart is by only *one* arrangement of the same alphabet which is used in *three* by J H Craig July 23d. 1781 in his Letter to Ld. Cornwallis.[4]

Balfour's Aug. 12			Craig's July 23d.				
a	31	a	26	a	34	a	15
b	12	b	36	b	15	b	25
c	22	c	17	c	25	c	35
d	32	d	27	d	35	d	16
e	13	e	37	e	16	e	26
f	23	f	18	f	26	f	36
g	33	g	28	g	36	g	17
h	14	h	38	h	17	h	27
i	24	i	19	i	27	i	37
k	34	k	29	k	37	k	18
l	15	l	39	l	18	l	28
m	25	m	31	m	28	m	38
n	35	n	12	n	38	n	19
o	16	o	22	o	19	o	29
p	26	p	32	p	29	p	39
q	36	q	13	q	39	q	31
r	17	r	23	r	31	r	12
s	27	s	33	s	12	s	22
t	37	t	14	t	22	t	32
u	18	u	24	u	32	u	13
v	28	v	34	v	13	v	23
w	38	w	15	w	23	w	33
x	19	x	25	x	33	x	14
y	29	y	35	y	14	y	24
z	39	z	16	z	24	z	34
		1st Paragraph		2d Paragraph		3d Paragraph	

As a Variety of insignificant Figures are interspersed; several of those are put in the Beginning of the Epistles; and among Those is placed one of the essential Elements; which, however, is only to show how to begin the Arrangement of the Numbers for Use.

The same Thing is sometimes practiced for the different Paragraphs of the same Epistle. The insignificant Figures are chiefly *between* the *Words* tho sometimes between *Syllables* and particularly to divide what are termed the *double Letters*.

Specimen of Balfour's

91.45.*31*.60.37.14.13.73.13.27.22.16.17.37.75.38.24.15.95.15.63
t h e e s c o r t w i l l

further Specimen of Balfour's

All the 93.16.23.85.90.23.24.80.22.13.17.27.80 are sent now & the
o f f i c e r s
remainder shall come 38.14.13.35.71
w h e n

RC and enclosure (MiU–C: Greene Papers). Both in the hand of James Lovell.

[1] Apparently letters from Lord Cornwallis to Nesbit Balfour and James Wemyss of October 7, 1780, for which see Lovell to Greene, September 28, 1781, note 1.

[2] That is, intercepted letters from Nesbit Balfour and James Craig which Greene had enclosed in an August 25 dispatch to Congress, for which see his enclosure to this letter; and James M. Varnum to Greene, September 17, 1781, note 1.

[3] These undated cipher letters are in PCC, item 51, 1:717–32. The decoded texts of them that Lovell sent with this letter are in the Nathanael Greene Papers, MiU–C.

[4] These letters from Balfour and Craig, along with a page of Lovell's notes concerning the latter, are in PCC, item 51, 1:703–16, 733–36, 759.

James Lovell to George Washington

Sir, Philada. Sepr. 21st. 1781

It is not improbable that the Enemy have a plan of cyphering their Letters which is pretty general among their Chiefs: if so, your Excellency, will perhaps reap Benefit from making your Secretary take a Copy of the Keys and observations which I send to General Greene, through your Care.[1]

With every Wish for your Success and Glory, I am, your Excellencys Obliged & Humble Servant, James Lovell

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RC (DLC: Washington Papers).

[1] For which see the preceding entry. Acknowledging that he had indeed benefitted from Lovell's efforts, Washington replied on October 6 that "My Secretary has taken a Copy of the Cyphers, and by help of one of the Alphabets has been able to decypher one paragraph of a Letter lately intercepted going from Ld Cornwallis to Sir Hy Clinton." Washington, *Writings* (Fitzpatrick), 23:189–90.

Thomas McKean to Nathanael Greene

Sir, Philadelphia, September 21, 1781

Your two letters of the 25th and one of the 26th of last Month, with their inclosures, came safe to hand, were read in Congress and referred to Committees.[1]

In answer to part of one of them, you will receive inclosed here with the copy of an Act of Congress of the 18th instant, respecting retaliation for the unexampled cruelties of the enemy.[2] This Act requires no explanations; I wish it may have the desired effect.

Being uncertain whether you receive full intelligence of what is transacting elsewhere, and being desirous of rendering you all the service as well as amusement, that my public engagements will admit, I would inform you that last night I received a private account of the junction of the two fleets under the Count de Barras and Count de Grasse, and that the Ruby, of sixty four Guns, and the Rainbow, of forty four, have been captured from the enemy—I hope it is true. We have not yet heard that Admiral Digby is arrived, nor that Sir Henry Clinton has sailed. The latter will I think be puzzled with regard to his future operations. I do not believe Digby can have more than six ships of the line from my perceiving in the British Newspapers, that Sir Robert Harland was offered the command in chief on the American Station and that he refused it, unless furnished with six additional ships of the line and four frigates; as a Junior officer has obtained this command he would scarcely be allowed a greater force.

Lord Cornwallis will, I doubt not, make a vigorous, nay a desperate resistance, not only for the sake of preserving his military character, but with a view to have some chance for relief, at least to spin out the campaign as much as possible in his reduction and thereby prevent any thing more being done. The superiority of the French Fleet at present enables them to be very serviceable to us, and they appear disposed to do all they can.

It appearing probable to Congress that General Clinton may make some attempt on this City, they have adopted the most likely measures to defeat his designs, by calling on the States of Delaware, Pennsylvania and New-Jersey for a large body of Militia, and have likewise thought it adviseable to detain General St. Clair and the Recruits of the Pennsylvania line, now in the State, for a few days in the neighbourhood of this City.

It is certain that the Spaniards have blockaded and invested Minorca; I wish it had been Jamaica. By late accounts from France it appears, that the negotiation for a general peace will probably take place the ensuing winter but not before.

I have the honor to be, with the greatest regard, Sir, your most Obedient & very humble Sert. Tho. M:Kean President

P.S. I have just now got certain information of the arrival of Adml. Graves within Sandy-Hook yesterday; the Terrible of 74 guns having sunk at sea, & five more disabled by Count De Grasse.

RC (NNPM: Siege of Yorktown Collection). In a clerical hand and signed by McKean.

[1] See *JCC*, 21:969–70; and PCC, item 155, 2:239–54.

[2] Especially for the execution of Col. Isaac Hayne. See *JCC*, 21:917–18, 926–28, 941, 972. See also McKean to George Washington and Nathanael Greene, October 10, 1781.

Thomas McKean to William Greene

Sir, Philadelphia, September 21st. 1781.

I have the honor to inclose your Excellency an Act of Congress of the 17th instant,[1] and am, with great respect, sir, Your most obedient & most humble Servant, Tho. M:Kean President

RC (MWA: Nathaniel Paine Papers).

[1] The enclosed resolve, authorizing Rhode Island to pay all rents due on storehouses used by the French forces in the state and charging the costs to Continental account, was adopted in response to an August 28 letter from Governor Greene received and referred to committee on September 10. See *JCC*, 21:944, 969; and PCC, item 54, fols. 516–19.

Thomas McKean to Michael Hillegas and Joseph Nourse

Sir, Philada Septr. 21st. 1781.

Inclosed herewith I have the pleasure to transmit you two Acts of Congress, one of the 11th, the other of the 19th instant, whereby you will perceive you are again elected Treasurer of the United States of America.[1] You were chosen by an unanimous ballot, which is the fullest approbation of your past conduct. I wish you satisfaction in the appointment & all manner of happiness, and am, Sir, with respect &c &c, T. M K. President

LB (DNA: PCC, item 16). Addressed: "To Michael Hillegas Esquire. N.B. A similar letter to Mr Joseph Nourse Register of the Treasury of the U.S. mutatis mutandis."

[1] The act "of the 11th" was undoubtedly the new "Ordinance for Regulating the Treasury, and Adjusting the Public Accounts." That of the 19th recorded the election of Hillegas and Nourse to the positions of treasurer and register, respectively, under the new ordinance. *JCC*, 21:948–51, 976.

Thomas McKean to the Chevalier de La Luzerne

Sir, Philada Septr. 21st. 1781.

I have the honor to send to your Excellency inclosed herewith two Acts of Congress, one of the 7th and the other of the 10th instant, acknowledging the Sieur Philip Joseph de L'Etombe and the Sieur Holker as Consuls General of France.[1] All other necessary measures have been taken for facilitating these Gentlemen's offices in the respective States for which they are appointed.

I have the honor to be, Sir, with the greatest regard, Your Excellency's &c &c,

T. M K. President

LB (DNA: PCC, item 16).

[1] That is, for the states of New Hampshire, Massachusetts, Rhode Island, and Connecticut and of New York, New Jersey, Pennsylvania, and Delaware, respectively. *JCC*, 21:940–41, 946.

Thomas McKean to the States

Sir, Circular Philadelphia Septr. 21st. 1781.

I have the honor to inclose your Excellency two Acts of Congress, of the 31st of August & 14th of September instant, for your information in matters relating to the Consular & Vice-Consular powers.[1] And am, with very high respect &c &c,

T. MK. President

LB (DNA: PCC, item 16).

[1] See *JCC*, 21:925–26, 960.

Thomas McKean to George Washington

Sir, Philadelphia, September 21. 1781.

Your Excellency will receive inclosed herewith the copy of an Act of Congress of the 18th instant, respecting retaliation for the repeated cruelties exercised and exercising upon the virtuous citizens of America by the Enemy, hitherto unexampled except by themselves.[1] This Act requires no comment; I wish it may have the desired effect.

Last night I received a private account of the junction of the two Fleets under the Count de Barras and Count de Grasse, and that the Ruby of sixty four Guns and the Rainbow of forty four have been captured from the Enemy—I hope it is true. We have not yet heard that Admiral Digby is arrived, nor that Sir Henry Clinton has sailed: The latter I think will be puzzled with regard to his future operations. I do not believe Digby can have more than six Ships of the line, from my perceiving in the British news papers, that Sir Robert Harland was offered the command in Chief on the American Station, and that he refused it, unless furnished with six additional Ships of the line and four Frigates; as a junior Officer has obtained this command, he would scarcely be allowed a greater force.

Lord Cornwallis will, I doubt not, make a vigorous, nay a desperate resistance, not only for the sake of preserving his military character, but with a view to have some chance for relief, or at least to spin out the campaign as much as possible in his reduction, and thereby prevent any thing more being done. The superiority of the French Fleet at present enables them to be very serviceable to us, and they appear disposed to do all they can.

It appearing probable to Congress that General Clinton may make some attempt on this city, they have adopted the most likely measures to defeat his design, by calling on the States of Delaware, Pennsylvania, & New-Jersey for a large body of Militia, and have likewise thought it adviseable to detain General St. Clair and the recruits of the Pennsylvania line now in the State, for a few days in the neighborhood of this city.[2]

It is certain that the Spaniards have blockaded & invested Minorca; I wish it had been Jamaica. By late accounts from France it appears, that the negotiation for a general peace will probably take place the ensuing winter but not before.

I am, Sir, with the highest Sentiments of esteem & regard, Your Excellency's Most obedient Servant,

Tho M:Kean President

P.S. I have just now got certain information of the arrival of Admiral Graves within Sandy Hook yesterday; the Terrible of 74 Guns having sunk at Sea, and five more disabled by Count de Grasse.

RC (DLC: Washington Papers). In a clerical hand and signed by McKean.

[1] The most recent and frustrating of which had been the execution of Col. Isaac Hayne at Charleston, S.C. See *JCC*, 21:917–18, 926–28, 941, 972.

[2] For the congressional response to this most recently reported threat to Philadelphia, see McKean's letters to William Livingston and Joseph Reed, and to Caesar Rodney and Matthew Tilghman, of September 11 and 19 respectively.

Thomas McKean to Thomas Burke and Nathan Brownson

Sir, Philada Septr. 24th. 1781.

I have the honor to inclose to your Excellency the copy of an Act of Congress of the 20th instant, voting a monument for the late Brigadier General Davidson.[1]

Tho' it may not be proper to execute the work 'till the Enemy are out of the State, yet as Acts of this sort are pleasing to the Relations of the deceased, and prompt others to virtuous and magnanimous deeds, Congress thought it politic to pass the resolve at this time.

I am, Sir, with great regard, Your Excellency's &c &c

T. McK. President

LB (DNA: PCC, item 16). Addressed: "To His Excelly. Governor Bourke. N.B. The like to the honble. Nathan Brownson Esquire naming Scriven instead of Davidson."

[1] For the congressional decision to erect monuments to the memory of Gens. William Davidson of North Carolina and James Screven of Georgia, to honor and sustain the morale of the beleaguered defenders of the southern states, see *JCC*, 21:978–79.

Governor Burke was himself a prisoner of the British at this time, having fallen into the hands of the enemy during a loyalist raid on Hillsboro on September 12.

Daniel Carroll to Thomas Sim Lee

Dear Sr., Philadelphia Sepr. 25th. 1781

I am to acknowledge your favor of the 21st. We have reason to believe Graves has returnd to N York; his fleet much damag'd, the Terrible sunk at Sea, but neither Congress or the Minister of France have receivd any acct from Chessapeake since the return of the fleet. We have been under great anxiety, particularly abt Barras. Do not conclude, my Dr. Sr., that you *cannot* Send me anything new from Virga. Mr Buchanan is in town—the tea & Shoes will be sent by him. Cottinger is looking out for the Stuff for yr great coat, he has not yet been able to find the green Baze. Present my Comp. to yr Lady.

I am Dr. Sr., Yr. assur'd & affecte Hble Serv,

Danl Carroll

[*P.S.*] Mr. Fitzsimmons asks me if I have got an answer about the Cloaths.

RC (NN: Miscellaneous Folders).

Samuel Livermore to Meshech Weare

Dear sir, Philadelphia Sept. 25th 1781

The application of our state for specie to bring forward the beef cattle was referd by Congress to the superintendant of finance, and on my application to him he told me he would write to you his determination on the subject.[1] Every argument in my power was used to inforce the measure. I suppose the result will be for the quarter master to receive the Cattle from you within the state. Hard mony is hard to part with. However if they take the Cattle at the borders of the state, that will answer your purpose. I hope the state will allow me to return home as soon as Vermont affair is over; as I am sure my affairs must suffer exceedingly for want of me. As to matters of Finance I am of opinion that a silver tax must be made. We have borrowd largely this year but we must not think of repeating it. I am your most obedt servant,

Samuel Livermore

RC (Nh–Ar: Weare Papers).

[1] Robert Morris' September 24 letter to Weare on this subject is in Morris, *Papers* (Ferguson), 2:342–43. See also Livermore to Weare, September 18, 1781, note 1.

Thomas McKean to Daniel Brodhead

Sir, Philada Septr. 25th. 1781.

In answer to your letter of the 12th instant, Congress were pleased to come to the inclosed Resolutions on the 24th. These, I hope, will have the desired effect in restoring harmony among the Officers at Fort Pitt.[1]

I have the honor to be &c &c, T. M K. Presidt.

LB (DNA: PCC, item 16).

[1] Brodhead had long been under attack as commander of the garrison at Fort Pitt, which had led Congress in April to order an investigation into the charges against him. General Washington had accordingly ordered him to turn over his command "to the officer next in Rank while this Business is transacting," and in his September 12 letter to Congress Brodhead had reported the deterioration of conditions at Fort Pitt that followed. Acting upon this information, the Board of War recommended that Gen. William Irvine be named to replace Brodhead as commander at Fort Pitt, a proposal Congress adopted the 24th. See *JCC*, 21:984, 996–97; PCC, item 78, 4:197–200, item 148, 2:285–88; and Huntington to Washington, April 20, 1781.

Thomas McKean to John Cochran

Sir, Philada Septr. 25th. 1781.

I have the honor to inclose you an Act of Congress of the 20th instant; by which you will observe, besides some regulations respecting promotions in general in the medical department, that Doctors Young, Wilson, Jenifer, Edmonson and Campbell are advanced to the rank of Hospital Physicians and Surgeons.[1] These promotions are agreeable to your recommendation, and, tho' Congress complied with it in this instance, I must inform you that they did it with reluctance, conceiving that the department is already furnished with a sufficient number of Officers of the different ranks.

Several other resolutions are inclosed for the Gentlemen in your department which I take the liberty of transmitting to your care, and beg you will forward them as speedily as possible.[2]

I have the honor to be &c &c, T. M K. Presidt.

LB (DNA: PCC, item 16). Addressed: "To The Director of the Hospitals."

[1] For these September 20 resolutions, adopted at the recommendation of the Board of War upon the urging of Dr. Cochran, see *JCC*, 21:979–81; and PCC, item 148, 2:259–75.

[2] Undoubtedly the resolutions appointing Daniel Smith assistant deputy purveyor, John Carne assistant deputy apothecary, and Drs. Thomas Tudor Tucker and Samuel Vickers physicians and surgeons in the hospital for the southern department.

Opposition to filling these positions developed almost immediately. Upon being informed of this action by Elias Boudinot the following day, the superintendent of finance immediately wrote to President McKean to remind Congress of "the Necessity of curtailing their expences as much as possible," and James Duane simultaneously offered a motion to suspend the appointments. The latter failed, although opposed only by South Carolina, because five states were unrepresented. A motion of similar intent but more limited application—"That no appointment be made of mates, to supply the places of those promoted in the general hospital by the resolutions of the 20"—was adopted on the 22d. See *JCC*, 21:983, 995; and Morris, *Papers* (Ferguson), 2:315, 322–23.

Thomas McKean to William Churchill Houston

Sir, Philada Septr. 25th. 1781.

I feel a peculiar pleasure in transmitting to you an Act of Congress of the 24th instant, together with the copy of an Ordinance of the 11th for regulating the Treasury and adjusting the public accounts. The Office to which you have the honor of being appointed is not perhaps the most eligible to a person who loves ease, but, to a man of business & who wishes to promote the prosperity of his country, which I am perswaded is your case, it will be perfectly agreeable. The trust is a very great one, and the salary handsome, besides it will probably continue for life.[1]

These, together with other reasons that will readily present themselves, will, I flatter myself, induce your speedy acceptance of the appointment. The sooner I hear from you the better, as the business will be at a stand until your arrival.

I am, Sir, with great personal esteem, Your &c &c,

T. McK. President

LB (DNA: PCC, item 16).

[1] *JCC*, 21:948–51, 1006. For his reluctant decision to decline this appointment to the office of comptroller under the new treasury ordinance, see Houston to McKean, October 13, 1781.

Virginia Delegates to Thomas Nelson

Sr. Philadelphia Septr. 25th 1781

Yesterdays post arrived without any letter from your Excelly. to us. We cannot help observing to your Excelly. that the Operations of the fleet and army are of so important a nature at this Crisis of affairs in Europe that an hourly communication, if it was practicable, would certainly be Eligible; and we therefore lament that no Authentic Intelligence has come from them to Congress for ten days past[1] altho we are informed from every Quarter that there has been an Action of Some Consequence at Sea. A Considerable body (said to be 5000) of land forces has been embarked at New York and were certainly held in readiness for an [immediate movement?] which kept this City and Jersey in a state of alarm in Consequence of which a very large body of Militia have been orderd into the field from both those states and Delaware, who are now actually under Arms, with a Considerable body of Regulars under Majr. Genl. Sinclair. The return of the British fleet to New York (much disabled as we are told) has developed the Mistery of the destination of the Embarkation at New York (which was intended for Chesapeake had their fleet been Successfull, and they are now debarked as is said at Staten Island. Affairs in Europe seem to wear a misterious aspect—Some powers being restraind from entering into the War by the Principles of Neutrality which they have embraced and avowed—others in Consequence of having assumed a Mediatorial Character—and others with a Cautious Policy watching the motions of the two latter and waiting for decisive events among the Belligerent Powers. But every thing seems to point out that all except France, stand aloof from an alliance with us, untill some favorable event on our Side shall turn the Ballance in our favor. This points out to us the necessity of every Exertion on our part in order to gain a decisive advantage and if possible, weaken the pretensions of G Britain by driving her troops out of the Continent. This can only be done by repairing the deranged State of our finances and recruiting our Armies to their full Complement. The Great and Generous Exertions of our ally in our favor certainly call on us for Similar ones on our Side and intitle them to Expect from us that we will put every engine in Motion to obtain those two great ends, therefore it behoves us to act with Energy and call forth all our resources to ensure a good and Speedy Peace. Jos. Jones.

Read & approved by James Madison & Signd at his request
Theok. Bland

RC (Vi: Continental Congress Papers). Written by Bland and signed by Bland and Jones.

[1] The Virginia delegates were irritated that Nelson, who was encamped with Washington's army near Yorktown, had failed to provide such "Authentic Intelligence." For further expressions of their chagrin, see Virginia Delegates to Nelson, October 9, 1781.

Ezra L'Hommedieu to George Clinton

Philadelphia Sept. 26. 1781.

I send you the Journals of Congress, by Capt. Johnston as compleat as they can at present be procured; there being none left for the Year 1775, and none as yet printed for the present year. This delay of printing has been owing to the same Cause that has delayed the publishing the Votes & Laws of our Legislature. The Papers herewith enclosed, contain all the News we have at present; Every Day we expect to hear from General Washington when 'tis probable we shall be particularly informed of the Situation of Lord Cornwallis. Some officers late from New York say, that he is given up there as lost; and that tis common to hear the British officers say one to Another "Well, poor Corne is gone at last."

There is no doubt but the british Admiral Graves, received a severe Drubbing from Count De Grasse; he lost at Sea a 74 gun Ship the Terrible and the London; another Ship, of near equal Force, was so disabled, that 'tis doubted whether she will be fit for service this Season. Some other Ships were much damaged. Sr. Harry Clinton intended to have reinforced Cornwallis with the Troops he had embarked, and was wating for the Determination of the naval Superiority in the Chesapeake; and was sanguine in Expectations that the french could not stand before the haughty British. The return of the Fleet altered his opinion; the troops disimbarked with the Tories, who had their Effects on board the Transports in order to return to their respective Homes in Virginia.

This State and New Jersey have been under great Apprehensions, that Sr. Harry would endeavor to make a Stroke at this City, or, fire some Towns in New Jersey, as tis unlikely he would remain inactive under the present situation of his affairs. Three thousand Militia of this State are now in Arms near this Place for the Defence of the City, and to oppose Sir Harry in any opperations he may design against this State or New Jersey.

The small Representation for sometime past, of Seven States, has occasioned a considerable Delay in Business of Consequence, as nothing could be done without unanimous Consent. Had we left Congress the 10th of September, all Business for sometime would have ceased; which Circumstance may apologize for our staying longer, with those who think the Resolutions by which we were appointed admit of a doubtful Construction as to the Expiration of the Time of our Delegation.

Tis probable our Finances will not admit of our remaining longer in this Place, than two weeks from this Time; on my return I shall continue sometime with the Assembly which I hear is to meet the first of next month. I have been happy in finding that the Publications against Mr. Duane have made no Impression on the minds of the Members of Congress, to his Disadvantage, and I am confident that it will be much for the Interest of the State to continue him in the Delegation.[1]

I have the Honor to be with the utmost Respect Your Excellency's most Obedt. Servt. Ezra LHommedieu

RC (N: Clinton Papers).

[1] See Member of Congress to Francis Bailey, May 28, 1781.

Ezra L'Hommedieu to John Tayler

Dear Sir. Philadelphia, Sept. 26, 1781.

We were favored with your letter by Doctor Young, who leaves town this morning (and will be the bearer hereof) having accomplished his business to his mind, after considerable Delay, which could not well be avoided. I am sorry that it is not in my Power to give you any particular information of the Situation of Cornwallis' Army in Virginia, as we have received no official accounts on the subject.

A letter was received by the President last evening from General Washington dated the 15th at Williamsburg, the day after his arrival, giving no particulars of the military operations in that quarter; except that the English Squadron under Admiral Graves were drove off by Count De Grasse and that he had returned with Count De Barras into the Bay with two captured Frigates, the Iris and Richmond. The Count De Grasse says in his letter that he handled them roughly. By the Accounts from New York it may be depended upon that the British lost the Terrible, a seventy four & that the London, a ship of equal Tons is rendered unfit for service, and much Damage done to others. I forgot to mention that the Count observes that the Damages he sustained by the Action were not great.

This Action and the joining of the two French Fleets will prevent any superiority on the part of the British for the Relief of Cornwallis, the consequences of which will be, that there is every reason to expect he must sooner or later (altho he should make an obstinate Resistance) surrender to the Arms of America.

It was evidently the intent of the Commander in Chief at New York, first, to beat the French Fleet, and then to reinforce Cornwallis with the Troops he had ready embarked. He was disappointed. the Admiral returned much disabled. The Troops disimbarked, and are now mostly on Staten Island. What measures he will take next is uncertain; some suppose 'tis likely he will endeavor to burn and destroy in New Jersey, and even to make a stroke at this City. There are 3000 Melitia of this State in Arms near the Town for the Defence of New Jersey & this State. Some late advantages have been gained by Parties from Genl. Greene's Army over the Enemy in South Carolina: Civil Government is again established in that State and in the State of Georgia.

For further news I must refer you to the inclosed papers. The Treasury Board with the Chambers of Accounts and the other Boards, for settling the Public Accounts, have now ceased, and the new arrangement according to the Plan of Mr. Morris, the Superintendant of Finance, is adopted. A Controller, a Treasurer and a Register are appointed. A number of Auditors will be appointed as soon as the business will require it, with the necessary clerks. I expect to be at Poughkeepsie within three weeks from this time, where probably I may contine ten or twelve days, in which time I shall be glad to hear from you if find it convenient to write.

With respectful Compliments to Mrs. Taylor, and the young Miss, I am Your very Huml Servt. Ezra L'Hommedieu.

MS not found; reprinted from *PMHB*, 39 (April 1915): 242–43.

Thomas McKean to George Washington

Sir, [September 26, 1781]

Your Excellency will receive inclosed herewith copies of two Acts of Congress, one of the 20th[1] and the other of the 24th instant,[2] for your information.

General St. Clair, with the troops of the Pennsylvania line now here, will march for Head-Quarters as speedily as possible. I am happy that the order of Congress, for their rendezvous near Philadelphia,[3] has not impeded their proceeding to Baltimore, but rather tended to expedite it.

With the greatest regard, I have the honor to subscribe myself, Your Excellency's Most Obedient & very humble Servant,

Tho M:Kean President

RC (DLC: Washinton Papers). In a clerical hand and signed by McKean.

[1] Actually one of the 20th and another of the 22d concerning regulations for and appointments to the hospital department, for which see McKean to John Cochran, September 25, 1781.

[2] See McKean to Daniel Brodhead, September 25, 1781.

[3] *JCC*, 21:974.

Thomas McKean to George Washington

Sir, Private. Philadelphia. Sept. 26th. 1781

Since I had the honor of writing to you on the 21st instant, I have learned, that on the proposed mediation of the Emperor of Germany and the Empress of Russia to the belligerent powers, the Court of France accepted it,[1] on condition his Allies the United States of America should accede thereto, adding he would immediately advertise them of the measure; the Court of Spain declined it, because a direct negociation had taken place between her & Great Britain, thro' Mr. Cumberland, who was then at Madrid. Soon after this Mr. Cumberland was recalled, and the propostions were renewed. France thereupon desired two questions might be put to Great Britain; 1st. Whether she would agree to the United States' having a Minister Plenipotentiary at the Congress? 2dly. In what manner she would treat with such Minister, whether as the Representative of Sovereign States? These propositions were not only entirely evaded, but Great Britain made it a preliminary, that France should dissolve her connections with the King's subjects in America. Thus matters rested 'till July, when some dark hints were thrown out by Great Britain, that all the States in America could not reasonably expect to be acknowledged Independant, as many of them were *subdued by her Arms;* and of the seventeen Provinces in the Low Countries only *seven* were so acknowledged by Spain, which seemed to be the only Precedent of the kind. No further overtures have been made on this head.

Congress had, in the last winter, acceded to the terms of the armed Neutrality planned by the Empress of Russia, and appointed the honorable Francis Dana as their Minister to Petersburgh. Before he set out he waited upon the Count De Vergennes at Paris, and, by his advice, will not appear at the Russian Court in a public Character, without a previous certainty that he will be received as such, which is not expected in the present stage of affairs, it behoving Mediators to be quite impartial between the powers at variance: However the way has been prepared, in such a manner, as to ensure a friendly reception of him as a private Gentleman, and for the rest he must trust to the Chapter of Accidents. The Empress was not a little pleased with the Act of Congress agreeing to her maritime code; especially as they had not been invited to it, but did it voluntarily.

We are plainly told, *that we cannot have any more forces from France, by Sea or Land, after this campaign*, nor are we to *rely* on any farther pecuniary assistance. The situation of Affairs in Europe will demand their utmost exertions there, and they expect to render as much real service to the common cause in other places, as they could possibly do in America. France, notwithstanding, will continue to pay the interest of our Loan-Office Certificates; and the King has made a free gift of six millions of Livres Tourney, to the United States of the money already supplied them. You may rely on the authenticity of what I have communicated.

In this state of things it behoves us to make the most of the present opportunity. If New York, York-Town in Virginia and Charlestown could be invested at the same time, the very attempt would have a prodigious effect on our enemies and the minds of the Courts in Europe, and in my humble opinion would not only expedite the negociation for peace, but bring it to a favorable issue. Is this practicable? I confess I cannot answer the question; but if Count de Grass could blockade New-York with his fleet, leaving a sufficient number of ships in Chesepeake, and the Militia of Pennsylvania and New-Jersey, now called out, were to march to Amboy, Elizabeth-Town &c. and General Heath to close in to the Northward, I think it might be very beneficial. This would effectually prevent General Clinton from detaching by Sea or Land to any place whatsoever; Admiral Digby, or at least many victuallers and merchantmen, might be captured, and if it pleases Providence that you should speedily reduce Cornwallis, you might proceed with your victorious army to New-York and have a prospect of taking it before the Winter sets in. In such a case Charles-Town would fall of course, or be evacuated. At any rate we could bend our whole force against it in the ensuing Winter.

The spirit discovered by the Militia and others seems to invite to enterprize; it is higher than at any time since 1776.

The Robust and Prudent Ships of War have been condemned on a survey last week, as unfit for further service, and the damage sustained by the London, Shrewsbury and some other ships is equal to what was first mentioned.

We wait with a degree of anxiety for certain Intelligence from the Southward, having had none for upwards of a fortnight.

This moment I was honored with your letter of the 15th instant, which shall be read in Congress tomorrow.[2]

I have the honor to be, with the utmost regard, Your Excellency's Most Obedient and devoted humble Servant,

Tho M:Kean

RC (DLC: Washington Papers). In a clerical hand and signed by McKean.

[1] The information contained in this paragraph was supplied to Congress via a memorial from the chevalier de La Luzerne of September 18 and a conference requested by him with a committee of Congress, which was reported on the secret journals of September 21 and 24. See *JCC*, 21:975, 986–93, 998–1006; and PCC, item 95, 1:304–7.

[2] See *JCC*, 21:1016; PCC, item 152, 10:249–52; and Washington, *Writings* (Fitzpatrick), 23:117–18.

New York Delegates to George Clinton

Dear Sir, Philadelphia 26th Septmr. 1781.

In our former Letters we gave your Excellency room to expect that we should obtain—at least we promised to urge for—the Establishment of our Western boundary under the Guarantee of the united States. Congress have remained so thin that a single Dissentient woud have frustrated any proposition which we might have offered: we therefore concluded to wait for a more favorable opportunity. To hazard under the present circumstances, a point which so essentially concerns the prosperity and tranquility of our State woud have been a proof of our Zeal but not of our prudence: and we hope we shall stand Justified for the delay in the Opinion of your Excellency and the Legislature. The Equity of our territorial rights can be so fully established that we perswade ourselves that a full Congress will conceive the Limits which we propose to establish to be moderate and the Cession to the united States liberal. As the time fixed for our return approaches we shall deposite the Evidences of our Jurisdiction in a safe hand with directions to deliver them to our Successors in the Delegation.

We enclose your Excellency the news papers which communicate almost all Intelligence which is publick, and too often what ought to be concealed. The General is arrived safe at Williamsburgh: Count de Grass has severly crippled the british fleet: Lesly & every Soul on board of a Ship of war from Virginia to Charlestown *are said* to have perished. General Greene has driven the british into Charlestown. They are represented to be sickly and in want of every necessary. Government is reestablished in Georgia and Doctor Brownson appointed Governour. Col. Few, Mr. Telfare and Dr. Noble Wimbleton

Jones—a Gentl. it is said of distinguished merit—Delegates for the ensuing year.

We have no Intelligence from Virginia of the late Naval Engagement: for once we are indebted to Rivington. By this time our Army are approaching Lord Cornwallis: we are to suppose he will make an obstinate defence if he has sufficient Magazines of provisions. His strength is computed at 5000 regular Troops, 900 sailors, and 2000 negroes.

We have the Honour to be—with the Utmost respect—dear Sir, Your Excellency's most Obedt & most humble servants,

Jas. Duane

Ezra L'Hommedieu

RC (N: Clinton Papers). Written by Duane and signed by Duane and L'Hommedieu. Tr (Clinton, *Papers* (Hastings), 7:359–60). RC charred; missing words supplied from Tr.

Thomas McKean to Nathanael Greene

Sir, Philada Septr. 27th. 1781.

Inclosed herewith you will receive the copy of the proceedings of Congress of the 18th instant on your letter of the 25th last month. Being not certain whether they were sent with my last dispatches, I thought it adviseable to transmit them now.[1]

Admiral Digby is arrived at New-York with three line of battle Ships, one of 90 & two of 74 guns each, leaving three more and some Frigates near the coast to convoy in about an hundred Transports, having some Troops on board, as it is mentioned by my informant.

There appears to be a movement of a large body of Troops on Staten-Island towards the Delaware.

I have the honor to be, Sir, with great regard, Your &c &c,

T. M K. President[2]

LB (DNA: PCC, item 16).

[1] See McKean to Greene, September 21, 1781, note 2.

[2] McKean also wrote the following brief letter to Greene this day. "Inclosed herewith you will receive an Act of Congress of the 20th instant respecting the Hospital department, for your information. Since my letter of the 21st nothing of importance has occurred, excepting that two of the British Men of War, the Robust & Prudent, have on a survey last week been condemned as unfit for service—The Terrible, of 74 guns, certainly sunk at sea." PCC, item 16, fols. 88–89. For the enclosed act "respecting the Hospital department," see McKean to John Cochran, September 25, 1781.

Daniel Carroll to Thomas Sim Lee

Dear Sir, Philadelphia Sepr. 28th 1781

Mr. Buchanan has taken charge of 3 Lbs of Hyson tea and three pr. of Callimanco Shoes for Mrs Lee. The Shoemaker has another pr. on hand—he wishes Mrs Lee woud leave an old Shoe with him, instead of sending the measure, which is not so certain. I am sorry your great coat is so long delay'd; Cottringer informs me he has continued his enquirys for the green Baze, but can find none; tho', he believes it is in the Stores, not yet opend.

The Minister has receiv'd a few lines from the Count de Grass dated the 13th. It is short—in Substance that upon the British fleets appearing he put to sea when an engagement ensud in which the van of the British Fleet was very roughly handled. The fleets continued near each other for several days when the British went of, & the importance of the grand object in view—brought the Count back to his Station; & that Monsr. Barras had arrivd in the mean time—the Iris & Richmond having endeavourd to cut the cables of the Bouys left in the Bay fell in with Count De Grass—Rivington says more for the French, than the Count himself has done. See the enclosd paper. Besides the damage done the fleet in the action, we have information that can be depended on that the Robust & Prudent which lay at N York, are in so bad a condition that they are both condemnd, & that they must take out one of their batteries [be]fore they sail for Europe. I believe one or both those Vessels were in the action in the Spring with Monsr. Ds Artouches,[1] which probably put them into their present bad Condition.

On the Return of the fleet to N York Clinton relanded his troops, they are chiefly on Staten Island. The heavy cannon were taken off the grand battery in the night, in order it is suppos'd to strengthen their batteries on the Narrows.

I Beg you to let me Know how many men there are in the 3d & 4th Regt for the war or 3 years & the Term the others are to Serve.

My respectful Comps to yr Lady, yrs Dr Sr. with great regard & esteem, Danl. Carroll

PS. I have just heard and believe that Digby with 1 90 & 2 74 Gun Ships are arrivd at the Hook. Turn over.[2]

RC (NN: Emmet Collection).

[1] That is, French admiral Destouches.

[2] If Carroll intended to add further information to his footnote on the verso of this page, he failed to do so.

James Lovell to Nathanael Greene

Sir Philada. Sepr. 28. 1781

I have, at length, found the Letters of Cornwallis to Wimys & Balfour of Octr. 7. 1780 which have been very long mislaid by one of the Delegates of Georgia.[1]

The Cypher for the former comprehends the same course of figures with That of the papers of no date taken in March;[2] but the deceptions are different, nor is the key-number put down, here, as there. I found it by calculation, and discovered that the unalphabetical numbers are not *wholly* baulks as in the Cases already explained; but that the right-hand figure of them is of the same value as though it stood single.

As to the Cypher for the latter (to Balfour) it is of two Sorts; the first marked B is from some Book, probably an Edition of Entick's Dictionary agreed upon by the Parties and not now in my possession, in which you are to seek 377. 2. 23 [Page. Column. Word].[3] The second is found by calculation to be a different alphabet from those already sent to you. Perhaps the Letter F means the figure to begin the Course, that being the 6th, but I need more Samples to know that certainly. It happens to answer in the present Case.

It will be a Satisfaction to you to see the Object of the march to North Carolina. I find that Fox & Germain are explaining this matter, and the Result is that the Generals here and the ministry there have mutually deceived each other.

I shall be very happy if the Pains I have taken shall enable yr. Secretary to make future *speedy* discoveries so as to save one of our own or take one of the Enemy's Posts, Parties or Escorts.

I am Sir, your Friend, James Lovell

Cypher to Wimys
Octr. 7. 1780

a	8
b	14
c	15
d	26
e	4
f	18
g	21
h	3
i	2
k	11
l	5
m	24
n	29
o	1

Cypher in part to Balfour
Oct 7 1780

a	6
b	5
c	4
d	3
e	2
f	1
g	12
h	11
i	10
k	9
l	8
m	7
n	18
o	17

p	25	p	16
q	23	q	15
r	22	r	14
s	6	s	13
t	19	t	24
u	9	u	23
v	17	v	22
w	13	w	21
x	16	x	20
y	7	y	19
z	12	z	I presume 25

The *Baulks* of this are 10, 20, 30 &c. &c. and the *left hand* figures of double numbers not in the above alphabet. Such a[s] 31. 76. 84. 92 &c &c &c.

I believe F capital in the Epistle either signifies that you begin with 6, F being the sixth of the common alphabet, or else that the Capital whatever it may be shows where the Figure 1 is to be placed. One more Sample will show us.

RC and enclosure (MiU–C: Greene Papers). Both in the hand of James Lovell.

[1] Lord Cornwallis' October 7, 1780, letters to Nesbit Balfour and James Wemyss are in PCC, item 51, 1:527–32. For Lovell's notes on their contents, see ibid., pp. 760–61.

[2] For Lovell's success in deciphering "the papers of no date taken in March," see the postscript to his September 21 letter to Greene.

[3] Lovell actually inserted these three words above the line over the preceding numbers.

Thomas McKean to the Chevalier de La Luzerne

Sir, Philada Septemr. 28th. 1781.

I had the honor to receive your Excellency's favor of today in Congress, and immediately communicated to them the contents. In answer, I am to express their satisfaction at this fresh proof of your friendship, and to assure you, that the part your Court and yourself have constantly taken in the real interests of Congress and the States they represent, justly intitle both to every return that a virtuous and grateful people can make.[1]

I am, Sir, with the most sincere esteem & profound respect, Your Excellency's Most obedient humble servant,

T. M K. President

LB (DNA: PCC, item 16).

[1] Although there is no mention in the journals of Congress' "satisfaction at this

fresh proof" of La Luzerne's friendship, his letter "of today" is in PCC, item 95, 2:31–34, and is recorded at *JCC*, 21:1026, as having been read the 29th. In it he had explained the steps he had just taken to provide the superintendent of finance an additional £291,018 in bills of exchange as requested. This was necessary, Morris had explained to La Luzerne on the 25th, to maintain the flow of vitally needed supplies to Washington's army, which might otherwise be disrupted because of the slowness of the transportation from Boston to Philadelphia of the money John Laurens had just brought to America from France. Morris, *Papers* (Ferguson), 2:348–51, 357–59.

Elias Boudinot to James Caldwell

Dear Sir, Philadelphia Sepr. 29th, 1781

Immediately on Lieut. Hambletons arriv[al] I lost no Time in obtaining Powder, Lead & Paper equal to 50000 Cartridges, not being able to get them ready made up. Our Advices from New York are particularly mentioned in my Letter to the Governor.[1] Not a Word from the Southward, but what is in this Days Paper. I wish you to let me know every movement of the Enemy. There will be about 3000 Men at New Town on Monday. I cannot obtain a Field Piece here, as there are but four or five in this department, which I suppose will go with the Militia. I write in Congress in the midst of an important Argument.

Am D Sir, Yours Affectly. Elias Boudinot

RC (MB: Chamberlain Collection). Addressed: "The Honble. & Revd. Mr. James Caldwell at Princeton."

[1] See the following entry.

Elias Boudinot to William Livingston

Dr. Sir, Philadelphia Septr. 29 1781

Immediately on Rect. of your favour of Yesterday, I obtained for Lieut. Hambleton Powder, Lead & Paper equal to 50,000 Cartridges. It was impossible to obtain the Cartridges ready made, otherwise they should have been sent. We have Intelligence from New York, that Admiral Digby had but three Ships in the whole under his Command from England. That four of the Enemy's large Ships are so damaged, as not to be able to take the Seas without great repair, which they are now engaged in. The Yellow fever rages in their Army. They lost 5 Officers in the late sea Engagement & 10 Commissioned Officers at New London, with near 400 Men killed & wounded. No News from the Southward, but the Letter in the Paper from Count de Gras. I am with great Respect, Your Excellency's Most Obedt. Hble Sert, Elias Boudinot

N.B. The Vengeance a large Line Ship, is missing & not yet returned to New York.

RC (NN: Livingston Papers).

Elias Boudinot to William Livingston

Dear Sir, Philadelphia Septr. 29th. 1781

We are much alarmed here, on the apprehended Invasion of this State by Genll. Clinton from New York. Indeed this City could not have been attempted in a more defenceless State, or at a Time which would so essentially have affected the Common Cause.

Congress have ordered down to this Town 500 Contel. Troops under Genll. St Clair from Lancaster. 3000 Men of the Militia of this State are ordered to be in the Field without delay, and half of the Militia of the Delaware State. Congress have great, and indeed I may say, the greatest dependance on the Militia of our State, and hope they will be found actually in the field, should the Enemy appear ever so suddenly. As some days are allways taken to arange any Body of Militia, the sooner they are called out the better. I confess for my own part, I consider this City, as our most vulnerable Part.

Another Letter recd this Evening from Maryland, confirms the junction of Mons. de Barras—& his taking a 44 gun Ship & two frigates with as many Transports. No other News. Am Your Excellency's Most Obedt Hble Servt. Elias Boudinot

RC (NN: Livingston Papers).

Thomas McKean to John Stark

Sir, Philada Septemr. 29th. 1781.

On the 12th instant your favor of the first came to hand, and was the same day read in Congress and referred to a Committee, on whose report the Act of Congress of the 28th, a copy of which you have inclosed, was passed.[1]

The State of New-Hampshire is to settle with you for the depreciation of your pay, on the principles adopted in settlements with the Officers of their line, for which purpose a recommendation of Congress to that State has been transmitted to President Weare.[2]

I am, Sir, with much respect, Your &c &c,

T. M K. President.

LB (DNA: PCC, item 16).

[1] For this resolution, recommending that New Hampshire advance General Stark six months pay on Continental account, see *JCC*, 21:1019. For Stark's appeal for his pay and an allowance for its depreciation, which was referred to a committee on the 12th and to the Board of War on the 21st, see PCC, item 78, 21:117–20, item 148, 2:327–30; and *JCC*, 21:954, 970, 984.

[2] With this letter to Weare, for which see the following entry, McKean also enclosed a copy of the resolution cited in note 1.

Thomas McKean to the States

Sir, Circular. Philada Septemr. 29th. 1781.

Your Excellency will receive herewith inclosed the copy of an Act of Congress of the 28th instant, respecting all the General Officers who may be inhabitants of your State, which it is hoped will be pleasing to them.[1]

I have the honor to be, with the greatest regard, Your Excellency's &c &c &c,

T. McK. President[2]

LB (DNA: PCC, item 16).

[1] This resolution, recommending that each state settle with its own general officers "for the depreciation of their pay," was adopted upon a motion of Roger Sherman in the aftermath of a congressional response to the appeal of Gen. John Stark for a just settlement of his pay. *JCC*, 21:1019–20. For Congress' seeming inability to redress the long-standing economic grievances of the general officers of the Continental Army, see these *Letters*, 15:572–73.

[2] This day a letter was also written to the chevalier de La Luzerne by a committee of Congress—in response to a memorial from the French minister of September 24 that was read in Congress and referred to committee the following day—which is printed in *JCC*, 21:1011 with Secretary Thomson's journal entry of September 25. However, the letter, which was signed by Daniel Carroll for the committee, is misdated September 25 in the journals and is erroneously printed over the signature of President Thomas McKean in both Sparks, *Diplomatic Correspondence*, 11:19, and Wharton, *Diplomatic Correspondence*, 4:728–29.

The letter concerns a petition of Jahleel Smith, master of the schooner *Sally*, for losses arising from the Spanish capture of Pensacola, which had been brought before Congress by La Luzerne acting on behalf of the Spanish agent Francisco Rendón. A Spanish translation of Carroll's letter to La Luzerne, dated September 29, which Rendón sent to Madrid with his October 27 despatch to the minister of the Indies, José de Gálvez, is in Indiferente General, legajo 1606, Archivo General de Indias, Seville. Both Rendón's explanation of the case to the French minister and La Luzerne's memorial to Congress are also printed in *JCC*, 21:1009–10.

John Mathews to Nathanael Greene

Dear Sir, Philadelphia Sept. 29th 1781

I wrote you a long letter by Mr. Wilkinson which I hope 'ere this has come safe to hand.[1] I therein stated the then aspect of affairs, &

my sanguine expectations thereon. Since which time, I have had no cause to alter my opinion; on the contrary, it has received additional weight, from late intelligence on the other side the water—*not public*. Thus much for your own ear, or any other in whom you place entire confidence. Our Governor[2] I conceive to be one; and as I know there is the most perfect understanding between you I conclude you communicate your respective intelligence to each other in the most unreserved manner. I must therefore refer you to him, for our public intelligence (that is to say, the intelligence congress has received) in our public letter to him of the 27th instant.[3]

By that you will find what a damn'd vapouring that nation of Don Quixotes still keep up. A letter wrote from hence, by one of their officers, informing them that his Majesty's brave troops, on such a day attacked a pig stye, & put to death 40 pigs, is immediately blazoned forth to the deluded multitude as a most signal victory gained over the rebels, & a few more such must inevitably starve them into submission. Of such a nature, is their famous victory of Guilford, The Cowpens &c. as represented by Cornwallis. In the name of God! let the poor devils enjoy their delusion. But it is not unlikely that Chs. Fox will awaken them from their golden dream 'ere it's long. See the inclosed papers. However, unless their old friend the devil, can help them out at a dead left, I think we shall more effectually open their eyes for them, than even C. Fox will be able to do. If Cornwallis escapes us this bout, I shall begin to have some belief in the power of the devil—for no other God can they worship. But, as I as yet have no faith in him, I must believe he will for once leave them in the lurch. If then this "southern hero" is brought so low, as to submit to a pack of Ragamuffin rebels; I fancy he will lower his tone very much; & perhaps will tell his Masters he is at last convinced these fellows can fight. And as they seem to place such implicit faith in whatever he says; perhaps their eyes may at last be opened too, & they may be convinced, that, "the Rebels will [not][4] be left to themselves, to be treated with on such terms & in such manner as they—Gt Britain—shall think proper," & perhaps they may come down a peg, or two; & out of their special Grace and favor consent to the admission of an American Plenepo. into the Congress. And most probably they may in the end, be induced to exclaim, May the Devil fly away with all the Rebels together, for we will have nothing further to do With them. And so bounce out of the Congress, *in a high huff*. Be it so. I don't think our minister will not try to coax them back. I think I hear you say, it is high time to quit all this rodomontade, & come to something substantial, for you have something else to do, than spend your time in reading what don't give you some useful information. Faith & troth!—Sancho like—if you don't let me tell my story in my own way I shall never have done. If you had had a little patience, I was going to draw these conclusions from the premises. That all things look well at 3000 miles distance—that our friends are staunch—that they rather increase than diminish, some under the rose, some more openly, others avowedly so. In short, that a variety of circumstances concür to induce in me a belief, that the haughty, & imperious Britons will soon be brought to think like reasonable beings.

We wait here in anxious expectation of what is, or shall be done by you respecting the execution of Collo. Hayne.[5] All eyes are on you, & look up to you for just retaliation not only those who were his friends & Countrymen but I may say every Whig in America.

Intelligence from Virginia, I presume you receive regularly, therefore it would be useless to be repeated by me. Also what are contained in the newspapers. I do not send them to you, as the Delegates send them regularly to the Governor, which I suppose is the same thing.

The inclosed speech of Chs. Fox, I am sure will afford you much entertainment. I think there is a vein of satire, spirit, & humour, that runs through the whole of it, which I scarcely ever met with. If he could get 99 votes on this motion, he stands a good chance for a majority before the rising of the next parliament.

The extract from Heath, gives a striking picture of N.York, & shows that the *invincible* British navy has got a most damnable drubbing, however Sr. Harry's Mercury may attempt to disguise it. This fellow Rivington has of late lyed so intolerable, that the tories of Philadelphia, will now hardly believe what he says.

All health, happiness, & prosperity attend you. And believe me, my Dr. sir, with the most sincere Esteem, yr. Obedt. Servt.

Jno. Mathews[6]

RC (NNPM: Siege of Yorktown Collection).

[1] Probably Mathews' letter of August 14, which was continued on August 23 and 28, 1781.

[2] That is, John Rutledge.

[3] Not found.

[4] At this point Mathews interlined the word "not" in brackets.

[5] See Thomas McKean to Greene, September 21, 1781, note 2.

[6] Two weeks earlier, on September 14, Mathews had written to Charles Drayton, the brother of deceased South Carolina delegate William Henry Drayton, the following brief note. "Agreeable to your desire, I have drawn on you for One hundred and seventy three dollars, specie value in favor of The Honble. Dr. John Weatherspoon for the ballance of his account due for the education of Master John Drayton. Having disposed of the few effects, left by your brother, this ballance, & one other small sum of thirteen pound 5 to Mrs. Hopkinson, still remains unsatisfyed." Slack Collection, OMC.

Arthur Middleton's Draft Resolves

[September ? 1781][1]

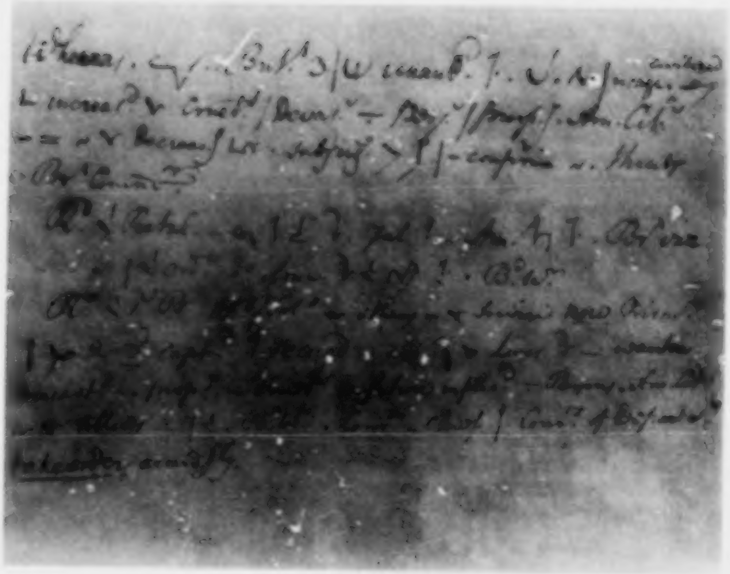
Whereas the commanders of the British army and navy, unauthorized by the laws of war and usage of civilized nations, have increased their Cruelties and Devastations on the Persons and property of American Citizens in proportion to their decreasing hope of subjugating these states, and to conform to the threats of the British Commander.

Resolved, that Retaliation in kind be taken for the several towns in America burnt by the British, viz — — — —[2] and that orders be issued for that purpose by the Board of War.

Resolved, that all British Officers and Soldiers or others in their Service *now* Prisoners and those who may be captured be secur'd to answer with their Lives for any wanton Devastations to the property or cruelties in future inflicted on the Persons of American Citizens or their allies—and that the Board of War, Commander in Chief and the Commanders of Departments *take order* accordingly.[3]

MS (ScHi: Middleton Papers). In the hand of Arthur Middleton. In addition to these draft resolves, the Middleton Papers contain dozens of miscellaneous memoranda, motions, notes, and draft letters, most of which are undated and written in whole or in part in a shorthand that was substantially deciphered by the Office of the Chief of United States Naval Operations in the early 1950s. The shorthand characters that Middleton adapted to his own use were part of an evolving system developed in the late 17th century by London stenographer William Mason, whose most popular revision appeared under the title *La Plume Volante: Or, The Art of Short-Hand Improv'd* (London: Printed for the Author, 1707). The documents that Middleton created using this system, approximately forty of which are included in this and the following volume of these *Letters*, provide insight into his committee assignments and principal areas of concern during his second term as a delegate to Congress in 1781–82. In rendering texts for these documents, to which a substantial number of fresh readings have been added by Dr. Ronald M. Gephart for these *Letters*, abbreviated words and shorthand symbols have been expanded to make authorial intent as clear as possible. For the actual text of this manuscript as it came from Middleton's hand, see illustration.

[1] Middleton probably drafted these resolves in connection with his work on the committee to which he had been appointed on September 28, 1781, to consider recent proposals for retaliating against the British for the burning of American towns. The proposals had their origin in Nathanael Greene's letter of August 25 detailing British depredations in the South which included the burning of Georgetown, S.C., for which see PCC, item 155, 2:239–46. Greene's letter was read September 17 and assigned to a committee chaired by James Varnum. Before the committee could report, however, John Mathews introduced harsh retaliatory resolves on September 20 calling for American army commanders "to put to death all persons found in arms against these United [States] without discrimination" and for Congress "to employ persons to reduce to ashes the towns of Great Britain." These resolves, together with Connecticut governor Jonathan Trumbull's September 13 letter describing the burning of New London, were referred to a new committee consisting of Elias Boudinot, Varnum, and Mathews. In its September 27 report the latter committee enumerated the burning of thirteen American towns since 1775 and called for a



Arthur Middleton's Shorthand Draft Resolves similar "demolition of cities and villages in the Kingdom of Great Britain," the execution of "an adequate number of British officers and soldiers" in retaliation for the murder of the American garrison at Fort Griswold, and the death by burning of anyone caught in the act of firing "defenceless villages, or houses, or in murdering inoffensive citizens or prisoners of war." Congress debated these severe measures and proposed several amendments on September 28 before reassigning the report and amendments to a third committee consisting of James Madison, Roger Sherman, and Middleton. This committee presented a "Manifesto" to Congress on October 1 which ordered the commander-in-chief to "cause exemplary retaliation to be executed on the enemy for all acts of cruelty committed by them against the citizens and inhabitants of these States." This manifesto was later referred on December 3 to a committee appointed to confer with Washington, who was then in Philadelphia. See *JCC*, 21:969–70, 977–78, 1017–18, 1023, 1029–30; PCC, item 19, 3:421–23; and Committee of Congress to Washington, November 28, 1781.

[7] In the September 27 report that had been referred to Middleton's committee, the following towns were listed: "Charlestown and Falmouth in Massachusetts, in the year 1775, Norfolk in Virginia in 1776, Kingston in New York in 1777, Bristol in Rhode Island and Bedford in Massachusetts in 1778, Fairfield and Norwalk in Connecticut in 1779, Springfield and Connecticut Farms in New Jersey in 1780, and Georgetown in South Carolina and New London and Groton in Connecticut in 1781." *JCC*, 21:1017.

[8] In another text of these resolves in the Middleton Papers, Middleton completed this line as follows: "—and they are hereby authorized and enjoined to retaliate for every nation offended by the Enemy."

John Mathews to George Washington

Dear sir, Philadelphia Octr. 1. 1781.

Although I am well convinced your time must be occupied by very important objects: Yet I presume you will not regret the few moments employed in the perusal of the following interesting advices lately received through the most authentic channel.

"After the retreat of Mr. Cumberland from the court of Madrid, that court, finding itself relieved from the embarassments created by that gentleman's residence there, immediately accepted the proffered Mediation of the two Imperial courts, and in conjunction with the Court of Versailles declared, that although they were perfectly desirous of proceeding on the negotiations for restoring peace among the belligerent powers, Yet as a preliminary to the commencement of this important business; they should peremptorily insist on the admission of an American Plenepotentiary to a seat in the Congress proposed to be held. The two Mediators represented this demand to the Court of London, to which a futile, & evasive answer was returned. The earnestness of the Mediators to bring forward a business which they had so much at heart, & in which all Europe appeared so deeply interested, made a second representation on this head. To which, the following answer, after much delay, was given. That the demand on the parts of France & Spain, were totally inadmissible on the part of the Court of London, that her rebellious subjects must be left to herself to be dealt with in such manner as she should think proper, & that as soon as France thought fit to dissolve the connexion she had formed with her revolted subjects, she was both ready, & willing to order her Ministers to open the negotiations. That this insolent reply had been treated with a becoming resentment by the Court of France. That the way to negotiation was still kept open, 'tho there was no probability of any thing effectual being done, untill the end of the campaign, which would eventually govern G. Britain in the part she is then to act.

"It is recommended to us in the most pointed terms to make every effort in our power towards a vigorous campaign in the ensuing year, that we might be fully prepared to prosecute the war with becoming ardour, if it should be found necessary. That from the obstinacy of G. B. this will most likely be the case, unless she should receive some very severe blow in the course of the present campaign. That it is expected the very liberal and substantial aid afforded us this year, will place our finances on such a footing as will enable us to arrange our affairs in such manner as to give a sufficient degree of vigour & decision to the future operations of the war. That France is determined to fulfill her engagements to us in their utmost extent, that her late conduct has sufficiently evidenced her affection for us, by even far exceeding, what had been stipulated on her part. That she hopes her allies will feel a like disposition on their part, & that it will be manifested by suitable exertions for bringing to a speedy & successful determination the present war. [Here follow some matters, which I do not think would be prudent to trust to a plain letter] Through another channel, it is said G. B. industriously propagates by her emissaries at the several courts of Europe, that it is her fixed determination, never to give up an inch of America, whilst she can command a guinea to carry on the war."

There appears a degree of arrogance, petulence, and Gasconade through the whole conduct of this corrupt, and infatuated nation, that is truely ridiculous. Beyond all doubt, the stake she is contending for, is of the last consequence to her. Therefore, she will leave nothing unessayed to carry her point. True, but when the seventh year of war, & every other expedient, has only served to exhibit a far greater degree of imbecility, than either of the preceeding ones, it is presumable, their dear bought experience, would produce more moderation, and plyability.

It appears most likely the fleet will not remain on our coast after the operations in Cheasepeak are over. This is a very unlucky circumstance; for I am clearly of opinion, that if Chs. Town could be taken this winter it would conclude the war. Many corroborating circumstances serve to give weight to this opinion. However, as this is not likely to be effected, a political manuvre may be made on this object, that may be productive of important consequences. If your Excelly should succeed against Cornwallis—which you have all good mens most hearty prayers for—& your victorious army should then move towards Chs. town, it would make a very deep impression on a British parliament, for, so severe a blow, as the loss of Cornwallis's army must be to them, they will scarcely consider the probability, or improbability of its success. But every effect capable of being produced from an army just tryumphant where little danger was apprehended & consequently flushed with it's success, then bending it's course against another most important object, must add fresh cause for apprehension to minds already appaled, & induce in them a serious consideration of the probable consequences of this new danger, which may create a moderation, they have hitherto been averse to, & may end in undissembled overtures for peace. This is the political view, in which such a manuvre strikes my mind, & I draw my conclusions from what appears lately to have been the disposition, of a very respectable number in the British parliament on a motion of Chs. Fox's, which when brought to a vote, received an accession of at least thirty votes, to what similar motions had ever produced. If then the consequences of the battle of Guilford could cause such a secession from deep rooted venality, what effect must such substantial, & probable misfortunes, as I have above alluded to, be productive of? I think the chance is much in my favor, when I say, a very desirable one, I mean, a serious disposition for peace.

Least you should not, through any other channel obtain it, I inclose you the paper with Mr. Fox's speech, & motion. It is replete with the keenest satire, wit, & humour, & I am sure will afford you a half hour's amusement.

I beg your Excellencys pardon for having taken up so much of your time, but the subject was interesting; which has led me into a prolixity, I did not intend, at my first setting out.

I should not have trusted so much to paper as I have done, were it not for the favourable opportunity that offers by Dr. Oliphant, whom I beg leave to recommend to your Excys notice.[1]

May the Supreme Being protect your valuable life, through the dangers you are about to encounter. And may his Guardian Angel attend to crown you with Laurel. And believe me to be, My Dear sir, with the most perfect Esteem & regard, Yr. most Obedt. Servt.

Jno. Mathews

RC (DLC: Washington Papers).

[1] That is, Dr. David Oliphant of South Carolina who was on his way south to resume his duties as deputy director of hospitals for the southern department. See *JCC*, 21:948, 979.

William Sharpe to Thomas McKean

Sir, Philadelphia Octr. 1. 1781

I beg leave through your Excellency to request that Congress may grant a warrant in my favor on the Superintendt. of Finance for three hundred and fifty dollars to enable me to return to the State of North Carolina.

The granting this sum will not give Congress half the pain that the necessity of making this request gives to him, who has the honor to be, Your Excellencys Most Obedient Humble Servant,

Wm. Sharpe

P.S. I have spoke with Mr. Morris who will make out to pay the warrant with paper money and some specie.[1]

RC (DNA: PCC, item 78).

[1] Sharpe had first applied directly to Superintendent Robert Morris for this warrant but was informed that an application to Congress was necessary. Upon receiving this letter Congress immediately approved the funds and Morris advanced Sharpe £56.5 specie and $350 the following day. See *JCC*, 21:1077; and Morris, *Papers* (Ferguson), 2:359, 361n.8, 3:3, 9. Sharpe probably departed Philadelphia with the October 4 arrival of delegate Benjamin Hawkins. When his accounts were settled with the North Carolina assembly in May 1782, however, he indicated a period of service "from the 3rd of September, 1780, until the 27th of October, 1781." *N.C. State Records*, 16:156–57. Sharpe officially tendered his resignation from Congress in a November 26, 1781, letter to North Carolina's acting governor Alexander Martin, citing "the obligations I am under to my numerous family" and "the deranged condition of my estate." Gratz Collection, PHi.

Elias Boudinot to James Caldwell

Revd & dear Sir Philadelphia Octr. 2d. 1781.

There is nothing here worth troubling you with, yet lest you should be perplexed with vague reports, I will mention those of the day.

The last Letters from the Commander in Chief mention his preparations for breaking Ground some time the last week. He has had a Meeting with the french Admiral, with which he is much pleased. Some English Officers taken in the Chesapeak just from Charles Town announce a general Action between Balfour & Genll. Green, when the latter was totally defeated, but a Letter from our Army to a Gentleman at Baltimore mentions the general Action at Monks Corner, in which he says the Enemy were routed & Genl Green killed & took 1006 of the british Troops.[1] We are in daily expectation of some farther Intelligence, which you shall have as soon as it arrives.

Pray let us know the State of things at Staten Island, as the Militia here ought not to be kept on foot a Moment unnecessarily.[2] What Provision has the legislature made for us—let us know—and indeed we should be glad to hear what passes among you. Mrs B is well & remembers low & Am Dr Sir, Yours Affectly, B

RC (NN: Miscellaneous Folders). Addressed: "The Honble. & Revd. James Caldwell, Princeton."

[1] At this point in the margin Boudinot wrote: "Coll Washington was wounded thro' the Thigh."

[2] This conviction also led Boudinot to move for disbanding the Pennsylvania and Delaware militia recently called up to face the threat of British invasion, an unsuccessful motion discussed in Abraham Clark's letter to Caldwell of this date.

Daniel Carroll to Thomas Sim Lee

Dear Sir Phila Octr 2d. 1781

I return you many thanks for your favor of the 25th—& shall act accordingly. Mr. Buchanan carried a few lines to you with 3 pr. of Shoes & 3 lb of Hyson Tea. I expected he woud have left me some Memorandums he had from you: if they are sent or any others, I shall endeavour to execute them.

The papers contain all the intelligence I can give you, except I add that from the information we have receivd there is reason to believe the British fleet has sufferd more in the action than what the French Admiral himself conceived. The Terrible is certainly lost, the Vengeance Spoken of as sunk or missing, the Princessa very much damagd, and three or four others wanting repairs. Digby is arriv'd with one 90 & two 74 Gun ships, and the King of Englands 3d Son. A Letter of good authority says the Yellow fever rages very much among the Troops in New York.

Present my Comps. to Mrs. Lee. I am Dear Sr., Your respectful & affecte Hble Sev, Danl. Carroll

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

Abraham Clark to James Caldwell

Dear Sir, Philada. Octor. 2d. 1781.

We have reports various ways of an engagement near Charles Town, but they are so uncertain and Contradictory that we can collect nothing from them worth telling. Genll. Washington was to begin his operations soon after the 23d ulto when he last wrote. No late News from Europe.

The Enemy we hear remain peacible on the Island.[1] I cannot believe they intend a visit to this Town and it appears also improbable that a Decent into Jersey is all they have in Contemplation, from the boats with them on Carriages; that they will come among us to forrage is a very probable Conjecture, but I think their present movement is principally intended to draw our Army from the Southward or Northward to Oppose them, either to relieve Cornwallis or Attack West Point.

Our friend Boudinot just moved to disband the Militia of Pennsylva. & Delaware in case the Executive of those States think the measure Adviseable, but this Motion was rejected.[2] I am unable to judge the real Occasion of this motion, the reason he offered, was to save expense, but it may rather be Supposed as intended to keep the Enemy from coming this way with intentions to frighten or Catch the Militia as you know they would disdain to go where there were no forces to Oppose them and where there was no Army to capture.

We are now represented by three members. Mr. Elmer came yesterday, but we are all perplexed to know how to live upon our paper pay which is exchanged here at 2½ for one with the loss of all the Interest by which we get less than one dollar for 20.

I am, Dear Sir, your Obedt. Humble Servt. Abra. Clark

P.S. Please to deliver the enclosed[3] if Mr. Camp is at the Assembly if not to forward the same to him.

RC (PHi: Dreer Collection).

[1] That is, Staten Island, where British troops had been massed for a movement that American officals feared might be an invasion of New Jersey and Pennsylvania.

[2] This motion was not recorded in the journals, but for Elias Boudinot's belief that the states' militia units "ought not be kept on foot a Moment unnecessarily," see Boudinot to Caldwell, this date.

[3] Not identified.

James Duane to Robert R. Livingston

Dear Sir, Philadelphia 2d October 1781.

Uncertain whether we shall meet I reluctantly commit to paper my Sentiments on the Subject of your favour of the 23d of last month.[1] You will not thank me if I shoud not express myself with Candour. The Share I have had in your Appointment and my Esteem for you strongly incline me to wish that every thing preparatory to the Assumption of your Office coud have been adjusted to your Satisfaction. The embarrassed Situation of our Finances however woud at this Time frustrate any Attempt to enlarge your Salary: the more especially as it is hard to convince several Members that it will be a Trust of Toil and difficulty. Hence notwithstanding all the pains which were taken to explain it's various and most important Duties a distinction was made in the Salaries for the great executive Departments. You will observe that the discrimination could not be *personal*, for the Salaries were all fixed before any nomination of Candidates.[2] As the Act is expressed your Stipend ought in my opinion to be considered merely as a provision for *your own* immediate Services. *Office Expences*, on a reasonable Construction, will include your necessary assistants and every incidental Charge. To enumerate and make a Requisition for them on proper grounds appears to me to be now impracticable.[3] Experience alone will give a Just foundation. The Financier who is to provide for the civil List will unquestionably contribute to settle those matters properly. I have already chatted with him on the Subject. As the usefulness of the office and the essential Advantages which I expect from your abilities unfold themselves, the Justice of enlarging your Salary will become obvious and the disagreeable Task of Sollicitation thro' those who are *known* to be your Friends unnecessary. May I add that in the present Temper of Congress, pressed as they are with wants and difficulties, you will exalt your Character by the Moderation of your Appointments and your own personal Activity.

You say we ought not to return untill the Expiration of our Authority. Had you backed your Advice with a Remittance for our Support we woud chearfully have acquiesced. At present a Stern monitor, our exhausted purse—dictates to us the necessity of retiring. I find, my dear Sir, an opinion prevails—and sorry I am to see that even you subscribe to it—that the office I possess is a full Compensation for the Loss of all domestic Happiness—to say nothing of my long and faithful Services for these carry with them their own reward. You, Sir, who are a Husband and a Parent ought to feel for me. The Legislature will—they cannot but have sufficient Candour to be reconciled to the Representation which I shall lay before them. It will be time enough for me to speak a plain language when it can be done without presumption. As I never sollicited any publick Office, so I shall not suppose my Reelection to be a thing of Course.

Be pleased to present my respectful Compliments To Mrs. Livingston and believe me to be with great regard, Dear Sir, Your most Obedient Servant,

Jas. Duane[4]

RC (NHi: Robert R. Livingston Papers).

[1] The letter to which Duane is here responding is actually dated "20th Sept" in the draft in the Livingston Papers, NHi. On the other hand, Livingston's letter to President McKean accepting appointment as secretary for foreign affairs, which was read in Congress on October 1, is dated September 23. See *JCC*, 21:1028 (where Secretary Thomson misdated the latter September 17); and PCC, item 79, 2:5–6. See also Thomas McKean to Livingston, September 6; and Duane to Livingston, September 11, 1781.

[2] Livingston had complained to Duane that the salary for the secretary for foreign affairs "carries with it a mortifying degree of inferiority," inasmuch as it had been set at $4,000 per year, while $6,000 had been specified for the superintendent of finance and $5,000 each for the secretaries of war and marine. In response to this objection, however, Congress resolved on October 1 to reduce the latter to $4,000, equalizing the salaries of the three secretaries. See *JCC*, 19:64, 133, 21:1030; and Duane to Livingston, October 10, 1781.

[3] Livingston had also complained of the inadequacy of his salary on the mistaken assumption that he would be paying the expense of his office, including the salaries and living expenses of whatever clerks he would need to employ.

[4] For the continuation of this letter, see Duane to Livingston, October 10, 1781.

John Hanson to Thomas Sim Lee

Dear sir Philadelphia Octo 2d 1781

General Washinton has been on a Vissit to Count de Grasse, on board his Ship the Ville de paris at Cape Henry. He returned to Williamsburgh the 23d Ult. He says he found the French Admiral disposed in the best manner, to give us all the assistance in his power, and perfectly to Cooperate wth. him in our present Attempt on Lord Cornwallis, and hopes to be before the Enemies Works in a few days. Our Vessels from the Head of Elk, are all Arrived, and were debarkg the Troops and stores, except a few, which were hourly Expected, their not having Arrived, is Accounted for from the Dullness of their Sailing. Every account from N York Confirms that of the Enemys haveing Suffered greatly in their late Engagement with Count de Grasse. That Admirals Account of it is very Short, and Modest. He Acquaints the Minister, that the British fleet haveing Appeared off the Capes, He immediately went out to meet them, Attacked their Van (which was treated very roughly) drove them off and then returned into Chesapeake; that he took two frigates in the Bay, which had been Sent in to Cut the Boyes from His Cables. The Defeat of the British fleet is a most Glorious and fortunate Event, as it will Effectually prevent Any Succors being Sent to Cornwallis, whose fate from present Appearances I think is inevitable—God grant the Business may be Speedily Effected, that we may have time in Conjunction with the French fleet to Act Elsewhere before the winter season Comes on.

On the return of the British fleet to N York, the Troops that were embarked for the Southward landed on Staten Island on Account of Sickness, where they Still are.

I have the honor to be with the greatest esteem and respect, Your Excellencys most Obedt Servt, John Hanson[1]

RC (NN: Emmet Collection).

[1] Hanson had returned to Congress on September 24 after an absence of five months, for which see Hanson to Philip Thomas, April 10, 1781, note 2.

John Hanson to Philip Thomas

Dear Doctr Philadelphia Octo 2d 1781

I am obliged to you for your favour of the 25th ult. which Came to hand yesterday. Dr. Wiesenthals opinion of your Case, gives me real pleasure, and I hope you will Shortly find yourself much better. Every Account from N York Confirms the advices we had of the Enemys fleet having Suffered much in the late Engagement, With Count De Grasse—the Counts own Acct of the matter is very Modest. He Acquaints the Minister, that the British fleet having appeared off the Capes. He went out, engaged their Van, which was treated very roughly, drove off the fleet, And returned Again into Chesapeak, that he took two frigates in the Bay, which had been Sent in, to Cut the Boyes from His Cables. He says nothing about any Damage he had received, and it is therefore Concluded he received none—this is a most Glorious and fortunate Event as it will Effectually prevent any succors being given to Cornwallis.

On the 23d ult. General Washington returned to Williamsburgh from a Visit to Admiral De Grasse, on board His Ship the Ville de paris at Cape Henry—that Admiral He says is disposed in the best manner to give us all the assistance in his power, and perfectly to Cooperate with him in our present Attempt Against Lord Cornwallis. And the general Hopes in a few days to be before the Enemys Works at York and Glocester. Our Vessels from the head of Elk are all Arrived And Were on the 23d debarking the Troops and stores, excep^{t} a few which were hourly expected. Their not being Arrived is Accounted for from the Dullness of their sailing. I have inclosed you the papers.

I should be very glad to purchase a part of Mr D. Land, that part of Albino Choice and Spring Garden laid off next to Benedict Stoners. I Should prefer, an acct of the great quantity of Wood on it and the Spring, but I would not Chuse to involve my Self in Difficulties and lay myself under Obligations the Security required is unreasonable, and I cant bring my Self to ask anyone to Mortgage and Subject their Estates to immediated Seizure on my Account, besides I apprehend it will Sell very high far beyond its real Value. The long Credit will tempt many to risque a purchase. If there was a probability of its Selling reasonable, and Secureity Could readily be found I Should be glad to become a purchaser it would be more Convenient than my own land, which I would Sell.

My Compliments to Governor Johnston and Mr. Potts, would have Wrote to them both but have nothing to Communicate more than is in this Letter. Please to tell the Latter that His Carriage will be Compleatly finished this Week. And I think it a very Genteel one. The man wishes it may be immediately Sent for, to make room as he

Says in his Shop, but the want of the money perhaps is the true reason.

I am With the Most Affectionate regard, Dear Doctr., Yrs.

J H

RC (MdHi: Hanson Letters).

Samuel Livermore to Meshech Weare

Dear Sir. Philadelphia Octo. 2nd. 1781.

I am informed that a comtee of our house and councill have proceeded to Connecticut river to treat with the people concerning their attachmt. to Vermont, or something to that effect. I did not hear the names of the Comtee. However I hope the measure will be attended with good consequences. That comtee will doubtless be returned before this reaches you. I should be glad to be immediately informd of the result of their proceedings:[1] As it may relate to the subject before Congress and strongly influence their resolutions. Tis probable the comtee of Vermont will be here before the last of Octo. for a final decision of their affair. I am very anxious to get this matter settled and to return home. I shall presume the state will not be against my returning when this business is finished. I long to see the country of Grafton active and our whole internal policy settled.

I am Sir. Your most obedient, humbe servant.

Samuel Livermore

RC (Nh–Ar: Vermont Controversy).

[1] No further information on the "proceedings" of a committee sent to the disaffected New Hampshire counties of Cheshire and Grafton has been found.

James Lovell to Elbridge Gerry

Sir Oct. 2d. 1781.

Your favor of Sep. 11th reached me only yesterday. I thought I had let you know the ill Success of Mr. Broughtons Petition. I now send an Extract from our Journal.[1]

Many Persons *stand charged* on our Treasury Books with monies advanced to them by our ministers abroad, their Receipts having been transmitted. The Day of Repayment I believe is distant and I know not whether this Gentleman's is one of the Number so transmitted.

It gives much Pleasure to find that "your" was a Misprint.[2]

I wish you as good Health as I now enjoy. "our" Friend is unwell

and yet retains much of the usual Curiosity about your intended Journey this Way. "do you think he *really* will come"?[2]
Yr. Friend & humble Servt, J L

RC (MHi: Gerry Papers).

[1] Nicholas Broughton of Marblehead, Mass., had been captured while serving on board a privateer and taken to England. Escaping from prison, Broughton had made his way to France where he had been advanced twelve guineas by Benjamin Franklin, "on account of the United States," to enable him to return to America, and he had petitioned for relief from the obligation of repaying the advance. The petition, which had been forwarded to Congress by Gerry, had been referred to the Board of War, which had recommended against Broughton on August 7, 1781, a recommendation Congress had endorsed the following day. See *JCC*, 20:757, 759, 21:840–41; PCC, item 41, 1:349–56, item 148, 2:133–35.

[2] For this cryptic remark, see Lovell to Gerry, August 10, 1781, note 1.

James Madison to Edmund Pendleton

Dear Sir Philada. Ocr. 2d. 1781

Yours of 24th ulto.[1] came safe by yesterdays post. In addition to the paper of this day I enclose you two of the preceding week in one of which you will find a very entertaining & interesting speech by Mr Fox, and in the other a handsome forensic discussion of a case important in itself and which has some relation to the State of Virginia.[2]

Our intelligence from N. Y. through several channels confirms the sufferings of the B. fleet from their rash visit to the Capes of Chesapeak. The troops which were kept in Transports to await that event have since the return of the fleet been put on shore on Staten Island. This circumstance has been construed into a preliminary to an expedition to this City, which had revived, till within a few days the preparations for a Militia opposition, but is better explained by the raging of a malignant fever in the City of N Y. Digby we hear is now certainly arrived but with three ships of the line only. It is given out that three more with a large number of Transports came with him and that they only lay back till it was known whether they could proceed to N. Y. with safety. This is not improbably suspected to be a trick to palliate the disappointment and to buoy up the sinking hopes of their adherents, the most staunch of whom give up Lord Cornwallis as irretrievably lost.

We have received some communications from Europe relative to the general State of its affairs. They all center in three important points; the first is the obstinacy of G. B, the second the fidelity of our Ally, and the third the absolute necessity of vigorous & systematic preparations for war on our part in order to ensure a speedy as well as favorable peace.[3] The Wisdom of the Legislature of Virginia will I flatter myself, not only prevent an illusion from the present brilliant prospects, but take advantage of the military ardor and sanguine hopes of the people to recruit their line for the war. The introduction of specie will also I hope be made subservient to some salutary operations on their finances. Another great object which in my opinion claims an immediate attention from them, is some liberal provision for extending the benefits of Government to the distant parts of the State.[4] I am not able to see why this cannot be done, so as fully to satisfy the exigences of the people and at the same time preserve the idea of Unity in the State. Any plan which divides in any manner the Sovereignty may be dangerous & precipitate an evil which ought & may at least be long procrastinated. The Administration of Justice which is the capital branch may certainly be diffused sufficiently and kept in due subordination in every part to one supreme tribunal. Separate boards for auditing accounts may also be admitted with safety & propriety. The same as to a separate depository for the taxes &c, and as to a land office. The military powers of the Executive, may well be entrusted to Militia officers of Rank, as far as the Defence of the Country & the Custody of Military Stores make it necessary. A complete organization of the Militia in which [*a*] Genl Officer would be created would greatly facilitate this part of the plan. Such an one with a Council of Field Officers, might exercise without encroaching on the Constitutional powers of the Supreme Executive, all the powers over the Militia which any emergency could demand.

I am Dr. Sir Yrs. Sincerely, J. Madison Jr.[5]

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 3:273–74.

[1] Not found.

[2] Charles James Fox's May 30 speech in Parliament on the war in America appeared in the *Pennsylvania Packet* for September 29, while the "forensic discussion" concerning Simon Nathan's court case against the state of Virginia was printed in the *Freeman's Journal* for September 26, 1781. See also Virginia Delegates to the Pennsylvania Council and to Joseph Reed, July 9–10 and 13, 1781, respectively.

[3] Madison's great interest in foreign affairs can also be seen in the transcriptions he made of a series of entries from Secretary Thomson's secret journals of Congress concerning instructions to the peace commissioners, which he may have copied at about this time as the last entry is dated September 21, 1781. Noting the appointment of committees, the tenor of their reports, and delegate votes on related motions, Madison focused on entries for May 28, June 6, 7, 8, 9–15, 29, July 28, and September 21, all of which are printed in Madison, *Papers* (Hutchinson), 3:133, 148–50, 153–54, 170, 201, and 265. Although it is clear that Madison made the notes at a single sitting, it is not evident when he made them or under what circumstances. The unusual nature of this conduct is also underscored by the fact that Congress had resolved on June 1, 1781, that "no person whatsoever be permitted to take copies or extracts from the Secret Journal . . . without permission of Congress." *JCC*, 20:588. For an interpretation of Madison's intense involvement in congressional foreign policy in 1781, see Irving Brant, *James Madison*, 6 vols. (Indianapolis: Bobbs-Merrill, 1941–61), 2:133–45.

[4] In the face of petitions to Congress from Virginia frontiersmen the preceding

year, Madison favored an increase in self government for Virginia's western counties to avoid further appeals for complete separation. See Madison, *Papers* (Hutchinson), 2:65, 276n.8. His immediate concern over western lands was apparently piqued by the report this day in Congress of the committee to which the land cessions of Connecticut, New York, and Virginia had been referred. See the Virginia Delegates' Protest, October 10, 1781.

[5] For Madison's expense account for the quarter June 20 to September 20, 1781, which he sent to the Virginia Auditors about this time, see Madison, *Papers* (Hutchinson), 3:263–64.

George Partridge to John Hancock

Sir
Philadelphia Octr 2d. 1781

Your Excellency will receive by the Post an Act of Congress for making good the pay of the Genl Officers,[1] which I believe our State has antissipated, but no general Rule has yet been adopted for making good the pay of the Civil and military Staff; which your Excellency, by a Letter some time ago, requested might be attended to. Several reports have been made on the subject which have been rejected, and the matter lies now with a Commee.[2]

The Resolves of the Genl Assembly and the Letter of their Commee. relative to drawing in the old money &c were referred to the Superintendant of finance. I have frequently applyd. to him to report some effectual method for calling in the old money, which yet remains outstanding, and for doing Justice to those States, who have done their duty.[3] He says that he shall insist on the plan of the 18th of March for calling in the old money at 40 for one; and when the States have drawn in their nominal Quotas; that they must be credited according to the Value of the money at the time of payment.

His professed & I believe his real plan, is, that Justice shall be done betwixt the several States, their Accounts Setled, and that no one shall suffer by a prompt & ready complyance with the requisitions of Congress.

Mr. Morris informs me that about four millions old Dollars remain due on former taxes, & a greater or less sum from other States. I am apprehensive that a part or the whole of that money may lie in our treasury in the dead emissions, as they were called. If this is the case we may perhaps suffer by neglecting to pay it in when it was of value; however I think that a return ought to be made of it, if any remains in the treasury.

A gentleman has lately arrived here from the Havannah who conversed with Genl Galvez before he came away & says that the General has been informed that the Capitulation at Pensacola was disapproved of by the U. States, which gave him much uneasness; that the Genl informd him that it was fully understood at the time of

George Partridge

the Capitulation, that the troops of that Garrison should not Bear Arms against the U. States; and that he should consider their taking up arms here, as a Breach of that Capitulation, for the fulfilment of which he had a sufficient number of Hostages.

I congratulate your Excellency on the pleasing prospect we have of the reduction of Britain's hero Cornwallis and his veteran host. Genl Washington has doubtless before now commenced his operations against him & I trust will soon convince our Enemy of the vanity of fighting any longer against the cause of Justice & the Rights of mankind.

I have the honor to be with great Esteem your most obedient Humb. Servt,

Geo Partridge

RC (DSI: Walter Fuller Don Collection).

[1] See Thomas McKean to the States, September 29, 1781.

[2] The question of salary allowances for staff officers in compensation for the depreciation of the Continental currency, had lain dormant since June 27, when Congress referred a report from the Board of War to a committee chaired by William Churchill Houston. See *JCC*, 20:702–4; and Massachusetts Delegates to John Hancock, February 19, 1781, note 1.

[3] Robert Morris did not report his general plan for settling the accounts of the states until November 5, but Partridge's continued attention to this issue is attested to by the following entry in the superintendent's office diary for September 28, 1781: "Honorable Mr Patridge called respecting the papers and Letters referred to me, relating to Massachusetts Bay and their Complaints on the subject of Continental Money &Ca. I shewd him my Letter to Governour Hancock on that subject, and explained to him my plan which he approved as did also the Honorable Mr Sherman, who called on behalf of a Committee of Congress. . . ." Morris, *Papers* (Ferguson), 2:364–65.

Rhode Island Delegates to William Greene

Sir, Philadelphia 2d. Octr. 1781.

The Commander in Chief expected to begin his serious Operations on Tuesday last. Lord Cornwallis was well posted and fortified; In Consequence of which some Time will be required in reducing him. The Troops of Sir Henry Clinton remain on Staten Island, and Admiral Digby's Arrival with three Ships of the Line, does not make the British Fleet so strong as it was before the late Action with Count de Grasse.

We have the Honor of being, with great Esteem & Regard, your Excellency's most obedient and very humble Servts.

Danl. Mowry

J M Varnum

RC (R-Ar: Letters to Governors). Written by Varnum and signed by Varnum and Mowry.

James M. Varnum to Catherine Greene

Dear Madam Philadelphia 2d. October 1781

I cannot fully express how much I feel myself obliged by the Continuance of your epistolary Correspondence. A Succession of refined Felicity is the Result of the Repetition of your Letters; and the Reception of that you did me the Honor to write on the tenth of September last has furnished the greatest Addition to my Happiness. It's Inclosure to the worthy General, I shall forward the day after Tomorrow by a safe Conveyance. I did not think it eligible to send it by the Post as our Mailes are sometimes intercepted; And you will agree with me, that delicate Sentiments, especially of the connubial kind, should not be ventured to the Inspection of Barbarians. It is not [in my] Power, at this moment, to give you any particular I[nforma]tion from General Greene. An Account however, came Yesterday from Baltimore, "that Lt. Colo. Howard of the Maryland Line, wrote to his Friend in Baltimore, that General Greene had attacked the British at Monk's Corner near Charlestown; had killed, wounded and captivated a Thousand, with the loss of about three hundred."[1] The Intelligence is very direct, & I should believe, if it came through any other Channel, but a [. . . .][2] It is, I am not very sanguine. However, I have no doubt but the General is in a good Situation, tho' it must be a fatiguing one. General Washington expected to begin his serious Operations on Tuesday last. The British Fleet has suffered much in their late Action with Count de Grasse. They lost two seventy fours, one is totally disabled and four others of the Line very much shattered. The Iris & Richmond, two Frigates, were also taken, & every Thing is in a fine Way. If the Operations to the Southward should be as fortunate as I expect, you may safely conclude Your Anticipations sooner than otherwise could be imagined, and re-enter upon the highest Fruition early the next Spring, perhaps sooner. But, says the additional Benediction, "happy is he who expects not, for he shall not be disappointed." My dear Madam, I am certain this Letter will afford you, neither Amusement, Pleasure, or Proffit. This is one of my unlucky Moments; A severe Pain in my head, banishes every Idea that can be acceptable to an accomplished Lady. My Thoughts like my Sensations are dull & gloomy; and the Time fast approaching when the Post Rider will depart, can only apologise for writing under such unfavorable Circumstances; Besides, I am confined to the Room of Congress, and am additionally plagued by a necessary Attention to disagreeable Business. We are now talking about Cessions of wild Lands made by Virginia & other States, to which they never had a Right;[3] Of extensive claims, connected with lunar Discussions, all unimportant in their own Nature, and too intricate for an imperfect

Comprehension; And you will judge mine very imperfect troubling you about matters, nothing to the Purpose. Yet the love of scribbling prompts my Pen, & I am not Master of Prudence enough to decide upon the Rules of strict Propriety. I should have written by Doctor Flagg, but thr[ough] a Mistake, I was not advertised of his Departure 'till it was too late. If you will excuse me for this unmeaning Meddly, I promise to write something in my next, more worthy your Acceptation. Be pleased to return my best Regards to Miss Flagg, & accept the most unfeigned acknowledgements of your affectionate Friend and very humble Servant. J. M. Varnum

RC (MWA: Greene Papers).

[1] For the battle of Eutaw Springs, S.C., see also Elias Boudinot to Lewis Pintard, October 3, 1781, note 1.

[2] An undetermined number of words or lines missing.

[3] See Virginia Delegates to Thomas Nelson, October 9, 1781, note 4.

James M. Varnum to George Washington

Sir, Philadelphia 2d Octr. 1781.

Your Excellency is well acquainted with the natural and political Situation of the Island of Bermuda. For many Reasons I have tho't a Conquest of that Island necessary. Its Inhabitants are generally friendly to the united States, and are loudly dependent on them for Subsistence. It was intended to be annexed to them when the Treaty of Alliance was formed with France. Should it be ultimately annexed, will form an excellent Barrier against naval Operations in a future War. But should the British strenuously insist upon retaining some Possessions, in a general Pacification, in Consequence of then holding Posts, such as New York &c., it may be necesary to silence their Claim by Composition. In that Case the Island might be ceded. Our Commerce is greatly annoyed by the Privateers which rendesvous there; A Conquest might relieve us from that Inconvenience & convert it into a Place of Arms for our own Vessells. As we have politically debarred the Inhabitants from all Correspondence or Commerce, their Necessities will oblige them to cruise for our Provision Vessells: Their Island is every way calculated to annoy us in that Respect. I have made myself fully acquainted with the Strength, Defences, & Resources of the Place: I am confident that five hundred Men, aided by three or four Frigates, would be fully sufficient to take the Island; & that Number would be sufficient to garrison it, could they have six Weeks to fortify themselves, previous to an Attempt to dislodge them. They should have six Months Provision, Artillery, Amunition, & some spare Arms, as two Battalions might be raised from the white and black Inhabitants. To give them a Time for fortifying the Place, the Expedition should not begin 'till after the Fleets have gone to the West Indies. It is not probable any serious Attack could then be made upon them 'till next Fall. I have not mentioned this matter to Congress: It should be on the Point of Execution previous to such an Intimation, if possible. I am very anxious to know your Excellency's Opinion upon the Subject previous to any Arrangements respecting it.[1] If you should incline to the Measure, whether it will be best to detach a Continental Battalion, or raise other Troops for the Purpose? Whether it will be best to furnish the Stores &c. from the public, or by individual Adventurers? And if French Frigates can be employed in the Cooperation? The Gentleman who bears this[2] is perfectly acquainted with the Island. By the best Intelligence we have been able to obtain, the British lost two seventy fours the Vengeance and Terrible, in Consequence of the late Ingagement with Count de Gras[se]. Had the Princessa, a seventy, totally disabled, & four other Line of Battle Ships, very much injured. Sir Henry Clinton has made some Demonstrations towards an Attack in New Jersey or Pennsylvania: Militia Camps have been formed: Such Precautions are at least excusable, perhaps necessary.

We have attempted to elect a Secretary at War—Genls. Greene, Lincoln & Knox are in Nomination; all the Votes for one or other of those Gentlemen. We effected nothing.[3] Tis said Genl. Greene cannot be taken from the Army, considering the southern Situation. I wish your Excellency would say who can be appointed with the greatest Propriety.

I have the honor of being Sir, with every Sentiment of Respect and Esteem, your Excellency's most obedient and very humble Servt,

J M Varnum

P.S. Judge Burke of South Carolina will deliver this Letter. JMV

RC (DLC: Washington Papers).

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[1] No response from Washington to this letter has been found, but for congressional debate on the question of attempting the conquest of Bermuda the following summer, see Charles Thomson's Notes of Debates, August 6, 1782.

[2] That is, Aedanus Burke.

[3] Congress had nevertheless just removed a roadblock to the election of a secretary at war by resolving on October 1 "that if an officer of the army shall be appointed . . . he shall retain his rank in the army," and Gen. Benjamin Lincoln was named to the post on October 30. See *JCC*, 21:1030, 1087.

Elias Boudinot to Lewis Pintard

My dear Sir, Philadelphia Octr. 3d 1781

This has been an important day for News both foreign & domestic. What I can inform you of, is that a Member from North Carolina arrived here last Night and informs that he see a Dr. Brown who was on furlough from the Army, and to whom an Express came from Genl Green urging his speedy return, informing that he had, had a general Action, in which he lost upwards of 300 killed & wounded.[1] He had detached Genl Marian & Coll Lee on some particular business, when he was attacked by the Enemy. The attempt was first made on the Militia, who recd them with Spirit. Coll Washington was sent into the Enemies rear. The British was forced & fell back, thus making a front to Coll Washington, by which means he suffered greatly, loosing every Officer but one either killed or Wounded—himself taken Prisoner several hours, but afterwards released—on the whole the Enemy were totally routed; with the Loss of upwards of 700 killed & taken. Coll Washington is wounded thro the side, and several valuable Officers killed. Genl Marian & Coll Lee with their fresh Troops, came up just at the Conclusion and immediately went in Pursuit of the Enemy.

We have also official Information of a Battle having been fought between 9 Dutch Ships & 12 English Ships under Admiral Parker in the North Sea. The Battle severe, and the English compleatly routed—the Dutch lost two of their Ships, in returning to the Texel not being able to keep them above Water.

The Dutch fleet had 70 Sail of Merchantmen under Convoy—and the English attacked them with Dutch Colours under their English out of derision—400 Men were killed in the Dutch fleet. No likelyhood of Peace. The Battle was the 12 Augt.[2]

I am Dr Sir, Yours Afftly, B

P.S. By some unlucky accident after sending [. . . .] Letters to Post Office too late four [of] the enclosed[3] left behind. A Party of the Enemy by a forced March, lately carried of[f] Govr Burke from North Carolina, he was upwards of 150 Miles from their Post at Wilmington.[4]

RC (PHi: Boudinot Papers).

[1] This news of the battle of Eutaw Springs, a bloody but indecisive encounter on September 8 between forces commanded by Gen. Nathanael Greene and Lt. Col. Alexander Stewart, was brought to Philadelphia by North Carolina delegate Benjamin Hawkins, who took his seat in Congress on October 4. *JCC*, 21:1034.

[2] For this engagement at Dogger Bank, which actually took place on August 5, 1781, not the 12th, see William M. James, *The British Navy in Adversity*, (1926, reprint

ed., New York: Russell & Russell, 1970), pp. 310–12, 448. The source of Boudinot's "official Information" has not been indentified.

[3] Not identified.

[4] North Carolina governor Thomas Burke had been captured on September 12 by Loyalist troops during a raid on Hillsborough, N.C. Burke was imprisoned at Charleston, S.C., but he later escaped and resumed his official duties.

Abraham Clark to James Caldwell

Dear Sir, Philada. Octor. 3d. 1781.

Your favour of the 1st inst. I recd. in answer to which I can inform you that many reasons will prevent my Acceptance of the Office you mention. I am Certain I cannot Accept without giving offence. Weighty reasons induce me to decline a seat in the Legislature, in this I am clearly determined should I be put in Nomination at the Ensuing Electing, justice to the County will Oblige you to make this my resolution known to prevent the expense of a New Election. You know I cannot take a seat in the Legislature while I hold one in Congress, and this I shall avail my self of by Continuing my present Standing untill the end of my Delegation, which will Necessarily Vacate my Election should I be chosen, as I must resign here at the meeting of the Houses in order to entitle me to a seat, by omitting this my Election would be Vacated of Course & a new Writ be ordered—from this my determination you will take measures at the ensuing Election for the choice of such as can & will serve; My present situation will excuse me without the Necessity of saying *I will not.*[1] I question whether you can offer reasons equal with mine for declining, and therefore need not wait for my example to stimulate you to do what you hold forth as a duty for me to comply with—very bad Divinity to call upon me for Example, I must confess were I to serve I should be happy in your assistance.

As to your late discovery of the Spirit of Confederation, I can scarcely say any thing about, without incurring Censure as being Interested; I must therefore remind you that it is well known Attendance in Congress hath long been a painful service to me, and I feel a strong desire to be free from it. My self therefore out the question, I cannot but reflect upon our situation should you Act as you propose unless I am mistaken in some facts; If I am rightly informed Dr. Witherspoon, Mr. Houston, Dr. Elmer & myself have served three Years, & that Dr. Scudder, Mr. Boudinot, Dr. Henderson & Colo. Freilinghuysen will decline if Chosen, if this is the Case shall We have New Members that know any thing of the Business of Congress, while Many if not all of the Other states whose Constitutions Admit of it send some of their old members without regard to the time they have served, judging that the Confedration cannot and Ought not to have any Operation before its final ratification; indeed, it never was made a Rule to govern Congress before that period. The Limitation is in general useful but then it ought to be a rule equally regarded by all or none, or those who do not confine themselves by it will have a manifest Advantage over the Others who are not prepared to Act agreable to the Spirit of it. The present situation of our publick affairs requires the assistance of such as have a thorough knowledge in the business before Congress. The only proper System for the Choice of members, in my opinion, is to Elect only three Members Annually two of which Acquainted with the business, one of the old ones to go out at every Choice to make room for a New one, by this measure there will always be two that had served before. The three Chosen should be such as agree to Attend except prevented by sickness—the Choice of five members will only incapaci[t]ate a greater Number after three years service without giving better Attendance.

We have Accounts, tho not official, but such as seem not to Admit of a doubt that a severe battle was fought near Charles Town on the 8th Ulto, in which we had upwards of two hundred killed and Wounded, and the Enemy lost in killed, wounded & taken between Six and Nine hundred, and when the Accounts came away our forces were in pursuit of the Enemy who were on a precipitate retreat; Colo. Lee & Marian with their Corps were not in the Action, but had got near the Enemy in their retreat & it was expected would soon come up with them with their fresh troops—the Enemy had no horse—during the Action Our horse was intirely surrounded, Colo. Washington wounded but not Mortally, taken prisoner & after four hours with the Enemy retaken. All his officers except one Lieut. were either killed or Wounded. All Accounts agree that the Action was very bloody, and that we Obtained a compleat Victory—the Acct. is brought by a Delegate from North Carolina who saw Letters from officers in the Action. Governor Burke of North Carolina was lately taken & Carried of[f] by the tories. I am, Dr Sir, Most sincerely yours,

Abra. Clark

[*P.S.*] Please to forward the enclosed.[2]

RC (PHC: Roberts Collection).

[1] Clark did not serve in the New Jersey assembly until 1784, when he left Congress having served the three consecutive years allowed by the Articles of Confederation. Ruth Bogin, *Abraham Clark and the Quest for Equality in the Revolutionary Era, 1774–1794* (Rutherford, N.J.: Fairleigh Dickinson University Press, 1982), appendix B.

[2] Not identified.

James Lovell to Benjamin Franklin

Honorable Sir Philada. Octr. 3d. 1781

The Bearer, Mr. Gibbs,[1] full of Respect for your Character has not only the very natural Ambition of being introduced to your venerable Person but, cherishes the Hope of obtaining your sage Counsel and Your Patronage upon his Arrival in France with an Intention to establish himself there at least for some Years. Your Philanthropy alone secures that Patronage to him provided his Character puts him upon the Level of a common Claim, But, Sir, I introduce him to you as a Young Man of uncommon Sobriety, and yet such as one would naturally expect, if Virtue was hereditable, in a Son of Judge Gibbs, and the Grandson of that good Secretary Willard known by you formerly in Boston. You know Sir the Nobility of New Englandmen non Atavis editi Regibus, sed *piis* nati Parentibus.[2] This young Gentleman can in that Way make the first Boasts.

I am with much Respect, Sir, Your most humble Servant,

James Lovell[3]

RC (PPAmP: Franklin Papers).

[1] Probably Josiah Willard Gibbs, younger son of Henry Gibbs (1709–59), a Salem, Mass. merchant and judge of the Essex County Court of Common Pleas. *Vital Records of Salem, Massachusetts*, 6 vols. (Salem: Essex Institute, 1916–25), 1:351, 3:412; and Emory Washburn, *Sketches of the Judicial History of Massachusetts* (Boston: Charles C. Little and James Brown, 1840), pp. 345, 352.

[2] That is, not born of royal lineage, but sprung from good and honest stock—apparently an allusion to Horace's dedication to Maecenas. Cf. Horace *Odes* I. 1. 1.

[3] Lovell also wrote a similar letter of introduction for Gibbs to John Adams this day, which is in the Adams Papers, MHi.

Roger Sherman to Jonathan Trumbull, Sr.

Sir Philadelphia Octr. 3. 1781

By a Delegate from North Carolina who arrived last Evening[1] we have an account, that General Green with about 2000 men mos[t]ly Militia had an Engagement with about 1,500 British Troops in South Carolina about 50 Miles from Charlestown, on the 8th of last month the action was very Severe on both sides, that the Enemy were totally routed with the loss of between 700 & 1000 killed, wounded & taken prisoners, That General Greens loss in killed & wounded was between 2 & 300—That Col. Lee and Col. Marian were in pursuit of the Enemy. This account does not come by Letter from General Green or any officer in his army—but our Informant Says he Saw a Letter from a Hospital Surgeon who was about 12 Miles from the place of action which gave the account. Governor Burke of North Carolina was Surprized & taken by a Number of Tories, and is now a prisoner with the Enemy. We have nothing material from Virginia Since my last. By every Account from New York the British Fleet Suffered greatly in the late Engagement with Count De Grasse. I mentioned to the Superintendant of Finance this morning, the affair of Supplies for the ensuing Season, & the necessity of giving timely notice to the States what provisions are to be expected from them, he Says he Shall have an conference with the Board of war upon that Subject to morrow.[2] I Send this by Mr. Webster who is just ready to Set out. I am with the highest respect Your Excellency's humble Servant, Roger Sherman[3]

RC (Ct: Trumbull Papers).

[1] That is, Benjamin Hawkins. See Elias Boudinot to Lewis Pintard, this date.

[2] This subject was also the subject of the following entry in the official diary of Superintendent Robert Morris for October 4: "Went to the Board of War and had a long Conference with the Honble Mr. Carrol, Mr. Varnum, and Mr Bland upon the reduction of the Army particularly as to the necessity of reducing the number of Officers and after much debate we agreed to form calculations on 30,000 supposing that a requisition of so many from the States would produce 25,000 Effectives." Morris, *Papers* (Ferguson), 3:16.

[3] This day Sherman also wrote the following brief letter to Connecticut treasurer John Lawrence. "I wrote to you Some time ago requesting you to pay to my wife or her order what was due on my Debenture or Some part of it as my family wanted money. You informed me that no provin[cial] moneies in your hand were appropriated for payment of Civil officers. I have Since wrote to the Governor requesting him to give Special order for the payment of 30 or 40 pounds for the use of my family. I now write to my wife, to apply to you for payment of my former order—and hope you will have Some money that you can apply to that purpose, as it is case of necessity." Trumbull Papers, Ct. None of the letters mentioned by Sherman in this note have been found.

James M. Varnum to Nathanael Greene

Sir, Philadelphia 3d Octr. 1781.

In the midst of an active Campaign it is difficult to realise Events; But presuming that Fortune will supply the Deficiencies of Resources, we may suppose that Lord Cornwallis will be Captivated, & the Commander in Chief lay before Charlestown in Course of the approaching Winter. Should that be the Case, you can be recalled, from a fatiguing tho' glorious Service, to the Head of the War Department.[1] This Department waits for you, but the Belligerent Mars interposes a Frown! In our peaceful Situation, we are awed at the Checks of the controuling God, & confess with him, that Nothern Rigor is necessary to invigorate southern Indolence. Burnet fully represents your Intentions; he is an excellent Youth! The Demands will be as fully complied with as Circumstances *can* admit. I dare not write politically; The great Gulph, North Carolina, lays between us, & it may swallow Sentiments unfitting a British Palate.

I have wrote but seldom to you, my dear Friend, but I have amply repaid the Debt by, frequently approaching your dear Caty, in every Strain, my Judgement & Imagination could suggest, to amuse, if not make her happy. She has done me great honor, in continuing the Correspondence. Among many of her very obliging favors, I inclose one sacred Deposit of her Inclosures to me.[2] I hope it will reach you in good Time, & exceed Fruition, by combining, with ineffable Extasy, all the Pleasures of Retrospection and Anticipation. The Sacrifice of domestic Felicity is known only to those who have made it; but the Consciousness of person[al] Virtue, of great Exploits & universal Applause can, in some happy Measure, form a Compensation. The Governor of Georgia has wrote to us for Supplies of Arms, Ammunition, Clothing and Money for his Militia. We cannot comply.[3] Georgia must raise permanent Troops; you must do with them as you can; The old Systems to the Southward must be abolished, & all things become new. Sir Henry Clinton has threatned New Jersey and Pennsylvania for some time; We have formed Militia Camps, and await him. May God almighty keep you in his holy Protection, & restore you covered with unfading Laurels to your former, & present and unchangeable Friends!

I have the Honor of being, Sir, With the most unfeigned Friendship and Esteem, Your Excellency's most obedient & very humble Servt.

J.M. Varnum

RC (NNPM: Siege of Yorktown Collection).

[1] For Congress' recent unsuccessful efforts to elect a secretary at war, see Varnum to George Washington, October 2, 1781.

[2] Not identified further, but Varnum had written to Catherine Greene on October 2 promising to forward her letters to General Greene.

[3] Congress had received Georgia governor Nathan Brownson's August 28 letter on September 28 and appointed Varnum chairman of the committee to consider the letter. Despite Varnum's initial negative reaction, arms and ammunition were ordered to Georgia by Congress on December 15. *JCC*, 21:1021, 1168–70.

James Lovell to Abigail Adams

Octr. 5. 1781

I doubt not, Madam, you have Letters from Mr Adams of later Date than what we have recd. but that Fact will not prevent your Expectations of Something from me in the Way of retailed Politicks: He has sent as I imagine but few duplicates of what are actually on Board Gillons. He dated May 16 and Augst. 3d from Amsterdam, July 11, 14, 15 from Paris.[1] He thinks Britain altogether insincere as to honorable Peace. He sees in Holland the almost absolute Certainty of {no Loan till}[2] our Independence {is} acknowledged by the States Genl., {a distant Period.}

The other day Mr. Cumberland Dugan sent a Wagon from hence to Boston. He made me hope for a Chance of conveying at least a Part of yr. Goods, but found it impossible finally, being obliged to load 400 lb. more than his first Contract. I had the large Chest hooped with Iron, and I hope soon to get an opportunity of sending it.

I wish you every Happiness being with much Esteem, Madam, Your humble Servant, JL.

RC (MHi: Adams Papers). Adams, *Family Correspondence* (Butterfield), 4:223–24.

[1] For John Adams' May 16 (2), July 11, 14, 15, and August 3 letters, which were presented in Congress on October 3, see *JCC*, 21:1032; PCC, item 84, 3:137–42, 272–74, 291, 315–17, 343–46; and Wharton, *Diplomatic Correspondence*, 4:419–21, 560–61, 574–76, 619–21.

[2] Words in braces in this text were written in cipher by Lovell; the decoded words were interlined by Richard Cranch.

Thomas McKean to Joseph Reed and Thomas Nelson

Sir, Philada October 8th. 1781.

As Brigadier General Irwine purposes to set out to morrow in order to take the command at Fort Pitt,[1] & may very probably have occasion for the aid of the Militia in the vicinity of that post, I thought it proper to procure a copy of his instructions and transmit them to you; they are accordingly herewith inclosed,[2] and I rest assured every suitable measure will be adopted for affording him effectual support by the militia in case of necessity.

I have the honor to be &c &c, T. M K. President

LB (DNA: PCC, item 16). Addressed: "To His Excelly. President Reed. N.B. The like verbatim to his Excy. Governor Neilson."

[1] William Irvine was unable to leave Philadelphia until the 13th.

[2] See *JCC*, 21:996–97; and McKean to Daniel Brodhead, September 25, 1781.

Elias Boudinot to Lewis Pintard

My dear Sir, Philadelphia Octr. 9th 1781

Your favour Per Post came safe to hand and I doubt not, before this you are Convinced that the greatest Business does not prevent my writing by every Post. The News I wrote you via Princeton, abt Genl Green's Success, is mentioned in several Letters from Virginia, but not a word as official. Indeed we are much surprized that we have not recd a Line from either Genl Washington or Genl Greene for several weeks.

The News in the Enclosed Paper, comes very straight but not being official, is not to be depended on.

We have recd an Acct this Morning, of the taking of Fort Slongo on Long Island without the Loss of a Man.[1] This was a refugee Post, wherein we took & destroyd three pieces of Cannon, a quantity of Cloathing & a Parcill of English Goods, Ammunition &ca. We got 18 Prisoners & 3 officers. Mr. Franklin has been with me and says he is advised by a number of his Friends, to make immediate Sale, if he can get 10/—this I have assented to, as he says it is most likely to fall, and he is sure it will not rise. I wrote you fully abt the Wood which I doubt not will answer.[2] I have no objection to his using the Oxen, tho' the Price is high without any such advantage. I shall expect to see you here the begining of November if not sooner. I enclose you a Letter from Marsden,[3] which I recd. I know not how. It was sent by Elisha, who says it was given to him after it had been opened at Morris Town. Mr Meade has sent all your Letters. The Vessel in which Mr Searle was to return, is arrived safe at Casco Bay, so that I suppose you will soon see him.

I expect a Congress will be soon opened at Vienna the Consequences of which we long to know.

I am with great Love to Mrs. P. & all Friends,
Yours Afftly, B.

P.S. On looking for Marsden Letter find that I have given it to Hannay.

[*P.S.*] Since sealing this—Advice is recd., that a Battle was had on the 8th Septr. between Genl. Green with 1000 Continentals besides Militia, and 2000 british under Coll Stewart. The Conflict was doubtfull for 1½ hour, but last decided in our favour by a total rout of the Enemy. We have in possession 537 british Prisoners. Their whole Loss in killed, wounded & taken amount to 1100 Men besides 20 Officers.

Coll Washington was taken & hurried off to Charles Town, our Loss between 4 & 500. Six Days after the Action Genl Green had pursued the flying Enemy to Monks Corner.

RC (PHi: Boudinot Papers).

[1] Gen. William Heath's October 4 letter containing news of the capture of Fort Slongo on Long Island was read in Congress on October 10. See *JCC*, 21:1044; and PCC, item 157, fol. 320.

[2] Not found.

[3] Not identified.

Daniel Carroll to Thomas Sim Lee

Dear Sr. Pha. 9th Oct. 81

Your favour of the 28th Ult. & 5th instant came to hand yesterday, I shall answer them by Capt Swan in a day or two—at present I have not any thing to communicate to you excepting the arival of Com'odore Gillon in the Charles Town Frigate to the Eastward loaded I believe with cloathing, &c for our army.[1] Several other Vessells it is said are arivd with him from Holland. My respects to your Lady. Dr Sr Yrs allways & Affectionately,

Danl Carroll

P.S. It is reported that some of the British forces have embarked again at N.York.

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] Commodore Alexander Gillon had arrived in Casco Bay with specie and supplies from France, for which see the following entry; Edmund Randolph to Thomas Jefferson, this date; and these *Letters*, 11:38.

John Hanson to Thomas Sim Lee

Dear sir, Philadelphia Octo. 9th 1781

I am favoured with yours of the 5th and Shall allways think myself honored by your Agreeable Correspondence, And be very thankful for any Intelligence you may at any time think proper to Communicate. My Stay here is uncertain, it depends upon the next Election of Delegates to Congress, and in these Cases you Know, no great reliance is to be put in popular assemblies, but be assured while I Continue, I Shall take great pleasure in Communicating whatever I think may Merit your Attention. We have no news to be depended on, nothing but Vague and uncertain reports. No Accounts yet from General Green of the late Action. We are Anxiously waiting an Express from him. It is now A month since it is said the Action happened, and no official Accounts having Come to hand, Occasions Some uneasiness, however I hope all has gone well. I have the pleasure to Acquaint you that we have Just Arrived at Casco Bay from Amsterdame A very large quantity of Cloathing for our Army With a Considerable quantity of Continental war like Stores. The Enemy remain on Staten Island alltogether inactive—for further

Intelligence I beg leave to refer you to the papers which I presume Mr Carroll has sent you. And have the honor to be With much esteem & regard, Yr. Excellencys most hble Sevt,

John Hanson

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

James Lovell to Abigail Adams

Philada. Octr. 9th [1781]

Yesterday's Post brought me your Favour of Sepr. 26th.[1] Your dear Boy Charles should most certainly have had half of the Bed of one of his *Father's* devoted Friends here; if the Winds had so directed the Ship's Course in which he is a Passenger, but I am told she is arrived at Falmouth in Casco Bay. I wish you an happy Meeting with him. I shall be rejoyced to find that the Voyage has been beneficial to his Constitution.

I have already given you the dates of Mr. A's Letters which came by Newman: vizt. May 16, July 11, 14, 15, Aug. 3d.[2] In the 1st he says

"This Country is indeed in a melancholy Situation—sunk in Ease—devoted to the Pursuits of Gain—overshadowed on all sides by more powerful Neighbours—unanimated by a Love of military Glory or any aspiring spirit—feeling little Enthusiasm for the Public—terrified at the Loss of an old Friend—and equally terrified at the Prospect of being obliged to form Connexions with a new one—encumbered with a complicated & perplexed Constitution—divided among themselves in Interest & Sentiment, they seem afraid of every Thing. Success on the Part of France, Spain and especially of America raises their Spirits and advances the Good Cause some what; but Reverses seem to sink them much more." He adds "The War has occasioned such a Stagnation of Business and thrown such Numbers of People out of Employment that I think it is impossible Things should remain long in the present insipid state. One System or another will be pursued; One Party or another will prevail; much will depend on the Events of the War. We have one Security, and I fear but one; and that is the domineering Character of the English who will make Peace with the Republic upon no other Terms than her joining them against all their Enemies in the War; and This, I think, it is impossible she ever should do."

It is to be hoped that the Events of this Campaign will be such as to influence Holland & even Britain to do us Justice.

There has been a most severe Engagement on the 8th of Sepr. in Sth. Carolina.[3] I think I shall be able to send a printed account to

Boston by the Bearer of this. It has been spoken of, here for some days; and this Evening Gen. Greens Thanks to his army are brought to Philada. by a Gentleman of good Character. It is said the Enemy are Sufferers to the amount of 1100 and our army to 500, These Numbers being for killed, wounded & missing. In Virginia Things are proceeding surely and faster than we had a Right to expect.

I have been chagrined about your Goods the last Week. I hoped to send them by two different Opportunities being promised a Chance. I weighed them and bound the heaviest with Iron Hoops ready for loading, but the Waggoners could not take the Charge. I cannot without great Trouble & Injury to the Chest take out the white Broad-Cloth. I will double my Diligence to send the Whole.

Your attentions to Mrs. Lovell prejudice me so much in your Favour that I can let you call me "queer" or any Thing else that hits your Fancy, provided always that you do not call or even think me *deceitful* when I profess myself with affectionate Respect Madam your Friend & humble Servant, J.L.

[*P.S.*] Perhaps after my Profession of Respect it will [be] incongruous to hint that you also Madam are a "queer Being." I verily believe you would be willing to hear any one call your best Friend, "old Darby," rather than to hear it said he appears lively as "Chesterfield." You talk of your *Philosopher* and his *Dame*. Why, Nothing was farther from my Intention than your sprightly Husband when I wrote of *your Philosopher*. No, No, he is too modern to be adduced in the Reasoning I sent you. It was your "Antient," Ma'am, that had been held up to me as a Pattern; That Wiseacre, who, "had he lived in the House or Family" &c. &c.

Take the Song of Darby & Joan[4] in Hand and stand before your looking Glass to find the Resemblance; a pretty *Dame Adams* indeed!

You "did not misapply Cornelia for Portia." But, you did, most assuredly. "There was no Fiction in the Story." "The Dialogue really existed as related." I supposed so; and therefore all the little malicious Things I have written were intended Cornelia and not for Portia.

RC (MHi: Adams Papers). Adams, *Family Correspondence* (Butterfield), 4:225–27.

[1] See ibid., p. 227n.1.

[2] See Lovell to Abigail Adams, October 5, 1781.

[3] The Battle of Eutaw Springs.

[4] That is, a jocose term for a devoted husband and wife. *OED*.

James Madison to Edmund Pendleton

Dr Sir Philada. Octr. 9th. 1781

Having sent you the arguments on one side of the judiciary question relating to the property of Virga. Seized by Mr. Nathan, it is but reasonable that you should see what was contended on the other side. With this view, although I in some measure usurp the task of Mr. Jones, I enclose the paper of Wednesday last.[1] As it may escape Mr. Jones I also enclose a copy of Mr Adams Memorial to the States General. I wish I could have informed you of its being lodged in the Archives of their High Mightinesses instead of presenting it to you in print.[2]

I am Dr. [Sir] Yrs. Affectionately, J. Madison Junr.

RC (DLC: Madison Papers).

[1] Madison enclosed the *Freeman's Journal* of October 3 containing the arguments of Simon Nathan's counsel in seeking to attach Virginia goods in Pennsylvania to settle the state's alleged debt to Nathan. See also Madison to Pendleton, October 2, 1781, note 2. Madison had "usurped" fellow delegate Joseph Jones' turn of writing to Pendleton on alternate weeks.

[2] For John Adams' April 19 memorial to the States-General of the United Provinces urging them to recognize him as minister of an independent United States, see James Lovell to Elizabeth Dana, August 23, 1781, note 2. Copies of the memorial were enclosed in Adams' May 16 letter to Congress which was read in Congress on October 5. See *JCC*, 21:1032. The memorial itself was published in the *Pennsylvania Packet* on October 9, a copy of which Madison enclosed here and in the Virginia delegates letter of this date to Gov. Thomas Nelson. See also Wharton, *Diplomatic Correspondence*, 4:370–76, 419.

Edmund Randolph to Thomas Jefferson

Dear Sir Philadelphia Octr. 9. 1781.

I was much distressed on the receipt of your late favor by Mrs Randolph, to find your irrevocable purpose of sequestering yourself from public life.[1] If you can justify this resolution to yourself, I am confident, that you cannot to the world. There remains now no alternative, but either to consign southern interests wholly, to the management of Our present ministers, or to interdict them from the exercise of all discretionary power.

My distance from Colle prevents me from attending to George Hay so minutely, as my knowledge of his genius and application inclines me to do. I must request you, As a friend to rising abilities, to give him a hint of such books, as my little stock will afford, and are suited to his progress. I am certain, that an apology for consigning this trouble to you, is unnecessary.

Mr. Adams has been harrassing the pensionary of Holland with overtures of a treaty of commerce. He seems to have committed the dignity of America by his importunities, and being so often repudiated. This he has done against the opinion and advice of Count de Vergennes. Our country does not rest, I hope, upon the prospect of a loan from Holland, or of any new pecuniary aid from France. France has embarrassed herself by her advances for America, and forewarned us to rely on ourselves alone for fresh supplies of Money. I must intreat you to add one other object to your journey to the assembly—enforce the necessity of a state of our accounts against the continent being forwarded to us, and of establishing sufficient funds to enable congress to carry on the war with effect.

Capt. Gillon, who took on board of his ship in France about £10,000 Ster. worth of clothing and was supposed to be lost, is arrived at Falmouth in Casco bay.

Mrs. Randolph would tire me with a narrative of Mrs. Jefferson's and your attention to her since my absence, did I not take pleasure in professing myself to be at all times, yr. friend & Servt.,

Edm. Randolph

RC (DLC: Jefferson Papers). Jefferson, *Papers* (Boyd), 6:128–29.

[1] See Randolph to Jefferson, September 7, 1781, note 2.

Virginia Delegates to Thomas Nelson

Sir Philadelphia October 9. 1781.

When your excellency assented to a weekly correspondence with us, we flattered ourselves with the prospect of being able to gratify those inquirers after southern intelligence, to whom our situation would incline us to be communicative. We undergo a sensible mortification in being left dependent on uncertain reports for information of General Washington's progress. This mortification proceeds not from a wish to soothe our private curiosity, but from a conviction, that the objects of our mission will be better answered, and injurious reports counteracted with effect, by the possession of authentic accounts. We therefore intreat your excellency to give us a weekly intimation of military affairs in Virginia, altho' they should remain as they were at the date of the next preceding letter; assuring you, that we shall continue to be punctual on our part.[1]

The decided measures, which Holland has taken against Great-Britain, drew from Mr. Adam's the inclosed memorial. There does not seem, however, any ground to believe, that his success will be immediate.[2]

It is impossible to expect, that France, engaged as she is in expence, should maintain the American war out of her own treasury. Her advances for America have been generous, but not sufficient to overcome the necessity of the exertions of the different states. Every state has the same plea with Virginia of being a creditor of the united states. Our hope therefore is, that, whilst Virginia labours to furnish new supplies, she will not forget the importance of forwarding to us as accurate an account, as possible, of her disbursements for the union.[3]

The report of a committee of congress, appointed to consider the cessions of western territory, made by Virginia, New-York and Connecticut, has been brought into discussion at our instance.[4] It declared in general terms the inadmissibility of those cessions upon the conditions specified, fixed a day for ascertaining the boundaries, beyond which congress would not guarantee, and concluded with a recommendation to lay out separate states in the ceded lands. After some debate it was recommitted. The advocates for recommitment acted upon different motives; some intending thereby to open a door for a full and minute question of the territorial rights of those three states; whilst others, among whom we were, proposed that the subject should be handled merely upon the basis of several resolutions of congress, passed with the express view of stifling all inquiries of right.[5] We have attended the committee for a great part of the three last days, which have been occupied by New York in the development of her title. Her delegates will probably finish their pretensions to day. Connecticut will be concise. We shall deliver to the committee written reasons for declining to enter into discussions of right.[6] Your excellency need not apprehend, that we shall weaken our title by the discovery of any ill-founded distrusts, or expose our candor to suspicion. We forewarned the Delegates of New York and Connecticut of our scruples as to our authority to submit to an investigation of the right, and the committee were reminded, that their present procedure violated the assurances of congress, contained in the resolutions abovementioned. By the next post we shall transmit a farther history of this transaction together with a copy of our reasons.[7]

We have the honor to be, Sir, your excellency's mo. ob. servts.

James Madison Junr.

Edmund Randolph.

RC (Vi: Continental Congress Papers). Written by Randolph and signed by Randolph and Madison.

[1] For the delegates' earlier complaints about Nelson's failure to provide "a weekly intimation of military affairs in Virginia," see Virginia Delegates to Nelson, September 25, 1781.

[2] See Madison to Edmund Pendleton, this date, note 2.

[3] For Virginia's accounts, see Madison, *Papers* (Hutchinson), 3:282n.4.

[4] The committee appointed on January 31, 1781, "to consider the cessions of western territory" had quickly become encumbered by questions of overlapping jurisdictions, the validity of the states' claims, and the special conditions attached to

Virginia's cession of January 2, 1781, the most important of which were the state's insistence that Congress guarantee its western boundaries, and that it also declare all Indian land purchases by private parties null and void. See these *Letters*, 16:94–96, 649–50n.3. Chaired by John Witherspoon, the committee was confronted on March 1 by a declaration of the New York delegates attaching new conditions to that state's cession and reserving to it the right to "limit and restrict" its boundaries. Soon thereafter the Illinois-Wabash, Vandalia, and Indiana companies were joined by George Croghan in submitting memorials strongly opposing Virginia's intentions. Moreover, on May 14, a committee of ways and means posed a knotty question which the committee was compelled to take up. Should Congress determine and guarantee the western boundary of each state and then declare the remaining land United States property "as a fund of credit for their common interest and the general defence?" Despite congressional efforts to speed the committee's deliberations, it did not report until June 27 when it declared that it was "inexpedient" for Congress to accept the cessions of the landed states because of "the conditions annexed to them and other circumstances" and recommended that Congress, first, determine each state's western limits and, second, "ascertain what vacant Territory belongs to the United States in common." Only then should Congress appoint a committee to draw up plans for dividing and settling the territory "to discharge the Debts of the United States." Following the submission of further petitions from the land companies, Congress ordered that Witherspoon's committee report be considered on July 30, but no action was taken until the Virginia delegates finally forced its consideration on October 2. The committee's report, which included a new recommendation "to lay out separate states in the ceded land," was debated and summarily reassigned, together with all supporting documentation, to a new committee composed of five delegates from the landless states, chaired by Elias Boudinot, which launched a fresh review of the titles of Connecticut, New York, and Virginia as well as the claims of the land companies. See *JCC*, 19:99–100, 208–13, 253, 264, 20:502, 526, 534, 696, 704–5; 21:781, 784, 1032; and Merrill Jensen, "The Creation of the National Domain, 1781–1784," *Mississippi Valley Historical Review* 26 (December 1939): 324–28. See also the Virginia Delegates to Nelson, October 16, 23, and November 7, and Randolph to Nelson, November 7, 1781.

[5] For these resolutions of May 23 and September 6, 1780, see *JCC*, 17:452, 806–7.

[6] See the Virginia Delegates' Protest, October 10, 1781.

[7] See the Virginia Delegates to Nelson, October 16.

James Duane to Robert R. Livingston

My dear Sir, Philada. 10th Octobr. 1781

I have been induced to continue here till this day wishing much for a Conversation with you. We have exhausted the last Shilling. Since the preceeding letter was written Congress have put all the great executive departments on a footing in point of Sallary—the Financier's excepted. It will remove the discrimination which gave you pain.[1]

Affect. yours, Jas. Duane

RC (NHi: Robert R. Livingston Papers). A continuation of Duane to Livingston, October 2, 1781.

[1] See ibid., note 2.

Thomas McKean to George Washington and Nathanael Greene

Sir, Philadelphia, October 10th. 1781.

Mr. Robert Starke of South Carolina was appointed Sheriff of one of the precincts of that State since the Revolution, and in the course of his office concerned in the execution of some capital offenders in Ninety six; he is unfortunately a Prisoner in Charles-Town, has been treated in the most inhuman manner, and excluded from exchange, on account (I suppose) of his having put to death under the civil authority some atrocious criminals contrary to the Enemy's proclamations. This exclusion and the reason of it are totally inadmissible; and therefore Congress have passed the Act of the 8th instant, of which you have a copy inclosed.[1]

Your Excellency will also receive the copy of an Act of Congress of the 28th ulto., respecting the depreciation of the pay of the General Officers, which I hope will be acceptable to them.[2]

I have the honor to be, with great regard, Your Excellency's Most obedient and most humble Servant,

Tho M:Kean President

RC (DLC: Washington Papers). In a clerical hand and signed by McKean.
RC (DLC: Greene Papers).

[1] *JCC*, 21:1040–41. For the context of this issue, see also McKean to Nathanael Greene, September 21, 1781, note 2.

[2] See McKean to the States, September 29, 1781.

Virginia Delegates' Protest

[October 10, 1781][1]

That no misconstruction unfavorable to the territorial rights of the State of Virginia may be put on the refusal of its Delegates to exhibit evidence in support of them before the Committee to whom the territorial Cessions of Virginia, New York and Connecticut were referred according to the request of that Committee and the example of the Delegates from New York and Connecticut, the considerations on which that refusal was grounded, and of which the committee were verbally apprized before any progress was made in the present enquiry, are now stated to them in writing.

First. The Acts of Congress[2] in compliance with which the abovementioned Cessions were made are founded on the supposed inexpediency of discussing the questions of right, and recommends to the several States having territorial claims in the Western Country, a liberal surrender of a portion of those claims for the benefit of the

United States as the most advisable means of removing the embarrassments which such questions created. To make these acts of surrender then, the basis of a discussion of territorial rights is a direct contravention of the Acts of Congress, and tends to diminish the weight and efficacy of future recommendations from them to their Constituents.

Secondly. If the present discussion has been opened upon an opinion that Congress can assume for the use of the United States any portion of territory claimed by an individual State and supposed by them not to fall within its limits, we are now to learn the page of the Confederation in which this power is delegated; if upon an opinion that Congress may exercise jurisdiction in territorial controversies between individual States, we refer the Committee to the Article of the Confederation which vests an exclusive jurisdiction in such cases in another tribunal.[3]

Thirdly. The Cases now before the Committee may eventually be brought before that constitutional tribunal. Ought not its decrees to be free from the bias & suspicion to which they may be exposed by the most indirect prejudication on the subject of right by so high an Authority as Congress, or even a Committee of Congress?

Fourthly. Although it should be confessed that the cognizance of territorial rights belongs to Congress or a Committee of Congress (against which position we strenuously protest) yet the very form of conducting this business, if scanned by the ordinary rules of Justice, is manifestly and essentially defective. Without any previous notice to the parties of an intention to discuss questions of right and receive evidence relating to them, nay, after expressly holding forth to them an intention to exclude all such questions, they are now called upon to exhibit the evidence which supports their respective claims, by which means prepossessions in favor of one party may be created by arguments and representations which another party is unprepared to controvert.

Fifthly. Nor can the conditions or reservations annexed to some of the Cessions[4] render a discussion of territorial rights necessary to determine the Authority of Congress to accept them. For even if these reservations should interfere with the claims of any other State, what injury can arise, since the doors of the Constitutional tribunal will not be barred to them and it may at the same time be declared by Congress that such acceptance shall in no wise affect them.

Jos. Jones.

James Madison Junr.

Edmund Randolph.

MS (DNA: PCC, item 30). Written by Madison and signed by Madison, Jones, and Randolph.

[1] This date is taken, in part, from a transcript of this document at the Duke University Library made by someone other than the Virginia delegates which bears the heading "Reasons assigned by the Delegates of Virginia to the Committee for territorial Cessions; for refusing to exhibit Evidence touching the Rights of Virginia, October 10th, 1781." Moreover, in a letter to Governor Nelson the delegates had suggested that they would present to the new committee on western land cessions this day "written reasons" why they would not enter into a discussion of the state's "territorial rights." See Virginia Delegates to Thomas Nelson, October 9, 1781, notes 4 and 6.

[2] Ibid., note 5.

[3] For a discussion of Virginia's legal and constitutional position under Article IX of the Articles of Confederation, see Madison, *Papers* (Hutchinson), 3:283n.6, 286n.5.

[4] For these "conditions and reservations," see these *Letters*, 16:95.

George Walton to Thomas McKean

Sir, Philadelphia 10 October, 1781.

Intending to return to Georgia as soon as I can make some little establishment for my family, I request Congress will order me a sum of money for that purpose, in like manner as was done for my late colleagues Colonel Few and Mr. Howly.[1]

When provision was lately made for discharging the necessary debts of the Delegates of the three Southern States, I owed the sum of fifty-six pounds: this I did not draw for, proposing to have paid it by economising the monthly allowance: but going soon after out of Office, that debt, (which ought to be considered upon a footing with those of the other Delegates,) is left upon me undischarged.[2]

I have the honor to be, with perfect respect, your Excellency's most obedient servant, Geo Walton

RC (DNA: PCC, item 78).

[1] See Georgia Delegates to the Speaker of the Georgia Assembly, July 18; and Howly to McKean, September 19, 1781.

[2] Walton, who had apparently ceased to be a delegate on September 27 when Edward Telfair and Noble Wimberly Jones presented their credentials to Congress, had applied for his monthly allowance as a southern delegate that day, pursuant to the congressional resolve of July 30th, but was asked by Superintendent Robert Morris for evidence of his attendance, which he apparently provided. See *JCC*, 21:1015; and Morris, *Papers* (Ferguson), 2:263–64. This letter, appealing for additional monies, was read this day and referred to a committee chaired by James Mitchell Varnum who met with Morris on October 13 and secured congressional approval that same day. Walton further received warrant for £18.15 specie value from the superintendent on October 23. See *JCC*, 21:1044, 1050; and Morris, *Papers* (Ferguson), 3:49–50, 106.

The status of the Georgia delegation was also the subject of the following November 1 letter from Samuel Stirk, who had been elected a delegate in August but never attended Congress, to Gen. John Twiggs: "From what I can learn Howly and Walton were much astonished at their not being reelected, the former means to return here immediately, but it is not known when the latter means to make his appearance. Telfair and Jones have taken their seats in Congress." Burnett, *Letters*, 6:236n. It is clear, however, that Walton remained in Philadelphia at this time, because he was soon called to testify in the court martial of Gen. Robert Howe, for which see Georgia Delegates to Baron von Steuben, December 9, 1781, note 2.

Edmund Randolph to the Virginia Auditors

Gentlemen, Philadelphia Octr. 11. 1781.

Being anxious, that my money transactions with the state may be reviewed by you, as often as possible, I take the liberty of forwarding my account of expences, as a delegate to congress, by Colo. Bland.[1] But I am obliged to leave a blank in it, as to the travelling expenses of my family from a total ignorance of the footing on which the delegates stand. If you have any difficulty in the business, I beg you to inform me: as I have suppressed many charges rather than to incur a censure of being too minute; and should be mortified, were it ever supposed, that I made improper debits.[2] . . . .
I do not know how far I am justified in charging my family's travelling expences to this place: and shall therefore make no charge, until I hear from you.

If you require me to be more particular I can be so. But there is such a littleness in this business, that I had almost rather lose the whole of petty charges.

When I charge board so often, it is to be understood of an advance to my landlady.

In order to raise money for present necessities, I was obliged to sell 65 of the 100£ furnished by Mr. Pleasants at a great discount. I have not charged the loss upon the sale, as I am not satisfied of the propriety of such a charge.

RC (Vi: Continental Congress Papers). In Randolph's hand, though not signed.

[1] Although Theodorick Bland, who last voted on October 8, did not apply for leave, he was absent from Congress for over six months, not returning until April 15, 1782. See *JCC*, 21:1040, 22:180.

[2] At this point follows a two page list of Randolph's travel and living expenses from July 6 to October 6, 1781.

Thomas McKean to George Washington

Sir, (private) Philadelphia, October 12th. 1781.

I had the honor of writing last to your Excellency on the 26th September.[1]

Since that time we have had letters from Mr Adams at Paris on the 15th of July, and from Amsterdam on the 3d of August; they confirm what I wrote you last.

On Monday the rear of the fleet that sailed from England with Admiral Digby arrived at Sandy-Hook; it consists of 34 Transports under convoy of a ship of 40 Guns & three frigates. No more, it is said, are expected. This information I received late last night from Mr David Foreman at Freehold.

Admiral Greaves will, it is believed, make a second attempt to relieve Lord Cornwallis, he is making every preparation for that purpose, and it is thought will proceed for the Chesapeake immediately. It may be well to apprize Count de Grasse of this without delay.

Sir Henry Clinton sent off three boats with despatches for Lord Cornwallis; one, named the André, carrying a brass six pounder in her bow, eight blunderbusses, and twenty men armed with muskets, sailed on the 26th September last; the second sailed on the 28th and the third on the 1st instant: we have taken the two last, and by means of a little address and a promise of pardon to a Tory, who was intrusted with one sett of the dispatches, I found it was hid on the beach where he was taken; I have procured three Gentlemen of ingenuity and fidelity to proceed to little Egg harbour with the fellow, in quest of it. The beach is so extensive, and so many places like each other, that it is not yet found, tho' the man is believed to be perfectly sincere in his wishes to recover it. The Gentlemen went from this on Sunday, and I expect their return to morrow; you shall know the result as soon as they arrive. In the mean time the boat which first sailed should be looked for by the Fleet; I have written to the Presidents of Delaware and the Eastern Shore of Maryland to watch for her.

We shall be obliged to compleat Colo. Armand's Legion, and I despair of doing it with Americans, if all the Field Officers are French Gentlemen. There is now a vacancy by the resignation of the Major, and if the Colonel would approve of Captain Allen McLean, who is now on half pay, to be his Major, it would save the half pay, oblige a very deserving Officer, be a means of Speedily filling his corps, and greatly tend to the public benefit. I should be happy if you and the Colonel were of this opinion.[2]

Captain Gilland [Gillon] is said to be arrived in the Frigate Charles-Town in Casco Bay He has cloathing &c. for Congress to the amount of ten thousand pounds sterling & upwards, and I believe a Million & an half of livres. It is a fortunate arrival & I sincerely congratulate you upon it; for I now flatter myself your army will be well cloathed & paid in future.

The Express delivered your favor of the first instant only last night; it shall be laid before Congress this morning.[3]

I have the honor to be, with the greatest esteem, Sir, Your Excellency's Most obedient Servant, Tho M:Kean

RC (DLC: Washington Papers). In a clerical hand and signed by McKean.

[1] That is, in a "private" capacity.

[2] In his November 4 response to this letter, Washington recommended that Congress first authorize Capt. Allen McLane "to recruit a Company of Men, and afterwards be annexed" to Armand's corps, rather than appoint him to the vacancy discussed here, explaining that Armand had consented to the proposal "upon this footing." See PCC, item 152, 10:383–86; and Washington, *Writings* (Fitzpatrick), 23:277–78, 334–35.

[3] *JCC*, 21:1047. Washington's letter is in PCC, item 152, 10:257–60; and Washington, *Writings* (Fitzpatrick), 23:158–59.

William Churchill Houston to Thomas McKean

Sir, Philada. 13 Octr. 1781.

I proposed to have attended in my Place this Morning[1] and saved Your Excellency the Trouble of this Letter, but am called away sooner than I expected by Company with whom I am under an Engagement to return to New Jersey. Am therefore to request Your Excellency will be pleased again to express my Acknowledgments to Congress for the Honour they had intended me in the Election to the Office of Comptroller of Accounts, and to beg they will excuse me from undertaking it.

I regret my having detained them so long from another Election, and hope they will attribute it to an earnest Desire to have obeyed their Commands, if, from the most careful Enquiry and Reflection, I could have thought myself capable of answering their Expectation.

I have the Honour to be, Your Excellency's very obedt Servant,
W. C. Houston

RC (DNA: PCC, item 78).

[1] Because he had been seriously ill, Houston had not attended Congress since mid-July. When President McKean first approached him about accepting the post of comptroller to which he had been elected on September 24, Houston had responded on October 2 that "The Call is so unexpected and my indispensible Engagements such that I cannot set out for Philadelphia before Tuesday the 10 inst. When there, it will take but little Time to examine somewhat more particularly the Nature, Extent and Duties of the Office, and to determine whether I have sufficient Knowledge for discharging it to the Approbation of those to whom I am accountable and to the Satisfaction of my own Mind; and whether my present State of Health will bear the Quantity of Business and the necessary Confinement. It will then be my Duty to enter upon the Service of the Appointment, or respectfully to decline it." PCC, item 78, 12:183–85. Houston's decision to decline that office, which he reached after

conferring with the superintendent of finance on October 12, resulted in the election of James Milligan later this day. See *JCC*, 21:1006, 1050; Morris, *Papers* (Ferguson), 3:47; and McKean to Houston, September 25, 1781.

Thomas McKean to the Comte de Grasse

Sir, Philada October 13th. 1781.

The intelligence your Excellency will receive inclosed herewith is of such importance that I transmit it forthwith by water as well as by land.[1] It is the same that I communicated by Express yesterday to his Excellency General Washington, and which he will immediately forward to you, with the addition, that the British Admiral purposes to take ten Fire-ships with him. I firmly believe a second attempt will be made to relieve Lord Cornwallis, and as firmly that your Excellency, if you receive this information in time, will disappoint him.

Wishing you the greatest glory & happiness, I beg leave to subscribe myself, with the most profound respect & regard, Sir, Your Excellency's most obedient & most humble servant,

T. M K. Pt.

LB (DNA: PCC, item 16).

[1] See the following entry.

Thomas McKean to George Washington

Sir, Philadelphia. October 13th, 3 o'Clock, 1781.

Since my private letter of yesterday to your Excellency respecting the designs of Sir Henry Clinton & Admiral Greaves to make a second attempt to releive Lord Cornwallis, I have had it strengthened by other accounts, and have just now received in Congress the Letter from General Heath and it's inclosure of which you have copies.[1] This intelligence is of so much consequence, that Congress permit me to spare so much time from other duties as to forward these dispatches immediately. I have not yet learned the result of the expedition to the Sea coast, which I mentioned to you in my last.

The contents of this Letter I have communicated to Count De Grasse by this Express, to be forwarded by water from the Head of Elk, but beg you will be pleased also to transmit it to him for fear of a miscarriage.

I have the honor to be, Sir, with the utmost regard, Your Excellency's most obedient humble servant,

Tho M:Kean President

RC (DLC: Washington Papers).

[1] The enclosed October 7 letter from William Heath to Congress and accompanying anonymous October 4 intelligence report to Heath are in PCC, item 157, fols. 332–34, and Washington Papers, DLC.

Maryland Delegates to Thomas Sim Lee

Sir, Phila Octr. 13th. 1781

The Contents of the inclosd appear of such Consequence, that two expresses are immediately to be sent of[f], one to proceed by land, the other by water from the Head of Elk. We have likewise thought it proper to forward Copys to you, not doubting, but that you will think the intelligence of sufficient Consequence to require a fast sailing boat to be dispatchd with it to the Count de Grass, least the Letters sent by the President shoud meet with some delay.[1]

We have the honor to be, with the greatest respect, Your Excellencys Most Obt. Servts, Danl. Carroll

John Hanson

RC (MdAA: Red Books). Written by Carroll and signed by Carroll and Hanson.

[1] For "the inclosed" letters of October 4 and 7 from an anonymous informant and Gen. William Heath respectively, copies of which are in the Red Books, MdAA, see the preceding entry.

James Lovell to George Washington

Evening 14 Octr. 1781.

I gave a Letter for your Excellency[1] this morning to some Gentleman who is connected with the French Army, I now understand it will not reach you in Eight-Days, but it will reach you doubtless then. It was merely to compleat the Account of the Cyphers used by the Enemy. I found, as I had before supposed, that they sometimes use Entick's Dictionary marking the Page, Column & Word as 115.1.4. Tis the Edition of 1777 London by Charles Dilley.[2]

Since I wrote that Letter, I have been happy in decyphering what the President of Congress sends by this Opportunity.[3] The Use of the same Cypher by all the British Commanders is now pretty fairly concluded. The Enemy play a grand Stake, May the Glory redound to the Allied Force under your Excellencys Command. I am Sir, Your obliged humble Servant, James Lovell

RC (DLC: Washington Papers).
[1] Not found.
[2] See Lovell to Nathanael Greene, September 28, 1781.
[3] See Thomas McKean to Washington, this date.

Thomas McKean to the Comte de Grasse

Sir, Philada October 14th. 1781.

I had the honor to write to your Excellency yesterday, and now can confirm more than the intelligence then communicated. Enclosed herewith you will receive copies of two original letters in Cyphers now in my possession, which have been faithfully decyphered, from Sir Henry Clinton to Lord Cornwallis, respecting the designs of the Enemy. This information has been forwarded to his Excellency General Washington.[1] The British General & Admiral seem to be desperate, and willing to risque all on the intended attempt. If they fail it appears to me that they are disposed to give up the contest for North America.

I pray God to direct your Counsels, and protect you in the hour of battle, and am, Sir, with every sentiment of regard, Your Excellency's &c &c, T. M K: President

P.S. The British Admiral has now 26, if not 29 ships of the line. He had not sailed on Thursday the 11th instant, by the best information I can get.

LB (DNA: PCC, item 16).
[1] See the following entry.

Thomas McKean to George Washington

Sir, (Private) Philadelphia, October 14th. 1781. 8 oClock. P.M.

My two last letters must, I know from your opinion of my character, have spread the wings of your expectation. My intelligence was true; the inclosed copies of two original letters from Sir Henry Clinton to Lord Cornwallis, which I have in cyphers, and which have been faithfully decyphered by Mr Lovell (whose key I had the honor to forward to you about a fortnight ago) more than prove the fact.[1]

I shall make no comment on the letters of Sir Henry, lest I should wade beyond my depth, but I rest assured you will excuse what I think it a duty to add. From comparing all my secret informations together, I firmly believe the British Admiral has now twenty nine ships of the line, and a very respectable number of Frigates; which, with ten fire-Ships, have probably sailed yesterday for the Chesapeake, having on board between five & six thousand Land forces. As to the three additional ships, they are supposed to have come from the west Indies, and are said to have arrived the beginning of last week. Sir Henry expected to be ready to sail on the 5th instant, I am greatly deceived if he sailed before Friday, for I have had faithful Friends to myself, as well as to the cause, who left the Sea-coast yesterday, some distance, 'tis true, from the Hook to the Southward, who know nothing of it; and if he had sailed before Friday, I believe they would have known it—These are the Gentlemen who brought me Sir Henry's dispatches. Among the letters (all being carefully inclosed in lead) I have found some, that will enable me to prevent some men of Sussex County in the State I have the honor to represent, from doing us much mischief, and perhaps they may enable me to make further discoveries: they have little relation to your immediate concerns, and therefore I shall not trouble you with the contents, except that intelligence is intended to be conveyed to & from Lord Cornwallis by way of the *Tanjier Islands* in the Chesapeake near the Eastern shore. I never heard of them before, and not having time to satisfy myself where they lie, must refer it to your enquiry.

It is far from my thoughts to intermeddle in the operations of the campaign, but I know you will pardon me for suggesting to Major General Heath, that after Sir Henry Clinton sails, it is my opinion there will not be above Four thousand land forces left in New-York and it's environs, of whom there cannot be above a thousand regulars, and that therefore it may be adviseable for him to be in readiness to attack it, if he should be so directed by you. Should you, Sir, think this practicable, or adviseable, there will, in less than a fortnight after I shall have information of it, be five thousand militia to co-operate with him.

The use that may be made of the three large smoaks, if you shall have succeeded against Lord Cornwallis, will readily suggest itself, to you, and if not, the knowledge of it may prove advantageous.

I am, Sir, with the most perfect esteem, Your Excellency's Most obedient Servant, Tho M:Kean

RC (DLC: Washington Papers). In a clerical hand and signed by McKean.

[1] The enclosed intercepted letters from Clinton to Cornwallis are in neither the PCC nor Washington Papers, but for Lovell's role in deciphering similar coded letters, see Lovell's letters to Nathanael Greene and to Washington of September 21, 1781. The capture of Clinton's letters was later explained by Elias Boudinot in the following extract from his wartime reminiscences. "Before the capture & at the first preparation for the seige before Count de Grasse arrived—General Clinton sent a row Boat well manned with a Confidential Officer along the coast, to get into Yorktown with a Letter to Lord Cornwallis, setting forth his situation and the impossibility of his relieving him with a fleet till a certain day and encouraging him to holdout till that period. The boat was driven on shore somewhere near Egg Harbor & the Crew taken & brought to Philadelphia. One of the men discovered in private,

where they were bound & that the Confidential Letter had been hidden under a certain large Stone on the Shore by the Officers. A person was sent to the Place & brought it to Congress. It was in Cipher and after some trouble it was discovered to be in three different Cyphers. However it was deciphered by a Mr. Lovell, a Member of Congress from Boston, after about two days' labor. The original letter was carefully returned to the Stone or some means used so that it finally got to Lord Cornwallis, but not before Count de Grasse' arrival and having the copy fairly translated. By this means W. was enabled to counteract all their intended measures." J. J. Boudinot, *The Life, Public Services, Addresses, and Letters of Elias Boudinot*, 2 vols. (1896; reprint ed., New York: Da Capo Press, 1971), 1:235–36.

Thomas McKean to William Heath

Sir, (Private) Philadelphia October 15th. 1781.

The intelligence you have from time to time communicated to Congress has been very satisfactory, and always corroborated what I had derived thro' other channels.

I am now to inform you of some facts of the utmost importance: however you may be at a loss to account for numbers or circumstances, believe me, they are founded on the best evidence, and perfectly true in all respects.

Sir Henry Clinton is ready to sail in person with *upwards* of *five thousand* chosen Troops rank & file, on board the British fleet, now consisting of *twenty nine* Line of battle ships, besides Frigates & ten Fire-Ships. The General & Flag Officers held a Council of war on the 24th September last at New-York, and determined at all hazards to proceed to the Chesapeak and endeavor to relieve Lord Cornwallis, and, tho' then they had but 26 ships of the Line, to fight the French Fleet and land their Troops; they expected to be ready to sail on the fifth instant, but had not sailed (I believe) on Thursday the 11th.

As soon as you have heard of the fleet's sailing you may depend upon it, there are near six thousand of the best Troops on board, and in consequence there cannot be above four thousand of all sorts remaining in New-York and it's Environs. These must be scattered on Long-Island, Staaten Island near Kings-bridge, and Paulus Hook.

In this situation of affairs would it not be adviseable to think seriously of an Attack on New-York? You may obtain five thousand militia in a few days to co-operate with you. I rest assured you will be in readiness to execute any orders you may receive from the Commander in Chief on this head. General Washington and Count de Grasse will in a very few days be informed of all these particulars, as I have dispatched Expresses to each by the nearest routs.[1]

I have the honor to be, with very great regard, Sir, Your most obedient humble Servant, Tho M: Kean

RC (MHi: Heath Papers). In a clerical hand and signed by McKean.

[1] See McKean's letters to de Grasse and to Washington of October 14, 1781.

Although President McKean communicated this proposal for an attack on New York in a "Private" letter to Heath, and there is no mention of the subject in the journals of Congress or any other delegate letters, the following draft resolve in the hand of Arthur Middleton suggests that the subject may actually have been debated in Congress.

"Rd. That Genl. Heath be instructed (in Case it does not interfere with any Eventual Plan of Operations already settled by Commandr. in Chief) to make requisition to the States contiguous to N. York for a Force sufficient to cooperate with the Troops under his command in attempg. an Impression upon that Post, as soon as it is weakened by the Enemy's withdrawing their Ships & Troops to act against the allied arms in Chesapeak Bay—& that recommendations be sent to the several States to comply with any requisitions made by Genl. Heath for the above purpose." Middleton Papers, ScHi.

Elias Boudinot to Elisha Boudinot

My dear Brother. Philadelphia Octr. 16th. 1781

This moment an Express arrived from Genl Green, with a full & compleat Confirmation of the late glorious Victory, tho a very bloody one. Our Loss is about 500—The Enemy's about 1100. Genl. Marian had also gained a Considerable Advantage in a Rencounter previous to the great Battle in another part of the Country.[1]

I have recd. 2½ Joe from Lee for you, and the Sugar is ready on Acct. of Mortons order. I expect to get some for myself & will send them to Trenton altogether and will advise you of it.

There is a Letter in Town, that mentions Lord Cornwallis had sent out Terms of Capitulation, wch. were peremptorily refused—but we have no official Information thereof.

Am with Love to Sister & all Friends, My dear Brother Yours Afftly.

E B

P.S. The [Gov. Decree?] is in Fact of Morton on every Principle.

RC (NN: Emmet Collection).

[1] Gen. Nathanael Greene's letters of September 5 and 11 reporting his victory at Eutaw Springs, S.C., and enclosing a September 3 report from Gen. Francis Marion of his recent victory at Parker's Ferry were read in Congress this day. See *JCC*, 21:1056, and PCC, item 155, 2:305–32.

Elias Boudinot to Hannah Boudinot

My dearly beloved Wife, Philadelphia Octr. 16th. 1781.

Your two kind Letters from Princeton, gave me great uneasiness notwithstanding the Note on the back. I am afraid you have been inattentive to the beginning of your Cold. I wish to hear from you sooner than the return of the Post. The Stage will be an easy Conveyance if you did not leave Princeton on Monday. It is a great addition to the distress of this painfull separation, that Sickness should intervene, when every kind & affectionate expression & attention is so much more necessary than in any other Situation. God grant that you may be perfectly restored to Health with my beloved Daughter, and safe returned to your little, humble Cott. It affords some gleam of Hope, that the Period is no[w] near approaching when (God willing) we shall again be united.

Could I have been with you, to have soothed your Pains & yielded some Consolation in your distress especially in the lonely hours of Night, it would have given me much Pleasure. My poor Susan too, must have been in some measure distressed by being from Home and without her Papa. It was happy her dear Mother was with her and on this Acct. I am glad you did not stay here. Your not mentioning a Word in either of yours, of the receipt of mine per Post makes me afraid, that it has been carried on to the Ridge.

I know nothing of the Bed Cord, but will inquire at Dr. Rush's, yet I think it was put into the Chair Box.

I will send Susan's Tooth Brushes & Pins.

There is no News, but a report, that Cornwallis has sent out Terms of Capitulation, which were refused. This comes from Baltimore, but is not official.

We have an Acct. that Tarlton with 600 Horse & Infan[try] made a Sally from Gloucester, when he was charged by Duke De La Luzen's [Lauzun's] Legion & some Militia Grenadiers & totally rou[ted] with the Loss of 50 Men, our Loss only 3 killed & 11 Wounded.

Our redoubts are formed within the Enemies out Lines and about the 9 or 10 the Genl. broke Ground within 400 Yards of the Enemies Lines of Defence.

We expect every Moment, the most important Intelligence.

I am my dearest Love with every affectionate wish for your Health & welfare, Your loving & faithfull, B.

P.S. My kind Love to Susan—Sister & all Friends.

[*P.P.S.*] This moment an Express from Genl Greene, by whose Letters the late Victory is confirmed in every part, and it appears to have been the most glorious, that has been obtained this war.

RC (NjP: Stimpson-Boudinot Collection)

Elias Boudinot to Lewis Pintard

My dear Sir Philadelphia Octr. 16th. 1781

Your Favour of the 13 Inst. came safe to hand. As to my Letters of the 2d & 3d being opened, the Truth is, that I sent the one of the 3d with the 2d inclosed to Mr Caldwell under a Flying Seal, that he might see the News—he being then at Princeton, and I expected he would immediately forward it by one of the Members, who lived at the Ridge. No News but what you will see in the Papers except a report that Lord Cornwallis has sent out Terms of Capitulation but was refused.

This Instant as I am writing in Congress, an Express from Genl Greene. His Acct. of the late Action at the Eutaw Springs is the most glorious that has happened this War—tho unhappily the most bloody. It is much the same in Substance as you have recd.—you will see the particulars in to morrows Paper. Our Loss is at least 500 in killed, wounded & Missing. We have 500 Prisoners, and the enemy's Fright was so great, that they filled the Roads near Charles Town with Trees, lest our victorious Army should enter the Town.

My poor Wife & Daughter are both sick at Princeton which gives me great uneasiness. The R. is not yet sold. Yesterday 5 Prizes taken by the Fair American arrived; they were taken in sight of Sandy Hook out of the Cork Fleet. We have also an Acct of a Peace made by our People, with the Cherokee Nation.

The British fleet are ready to sail from the Hook, with 5000 Troops, to endeavour to relieve Lord Cornwallis—I think they will be too late.

Genl. Marian has also had a small Victory over the Enemey previous to the grand Battle.

I am with great Sincerity, Dr Sir, Yours Afftly, B.

RC (PHi: Boudinot Papers).

Daniel Carroll to Thomas Sim Lee

Dear Sr. Pha. Oct 16th. 1781.

I wrote to you yesterday by Capn Swan,[1] by whom I sent yr Camblet &ca. for a great Coat. I hope to be able to make out for the trimmings you gave Mr Hanson a memorandum of.

I have nothing particular to mention you. Appearances at N. York still continue of the Enemies intention to Sail with their fleet & some troops.

Present my Comps to Mrs. Lee. I am Dr Sr. with great esteem, your Affectionate hble Serv. Danl Carroll

[*P.S.*] No Express yet from Genl Green—what can delay him?[2]

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] Not found.

[2] Undoubtedly written early in the day before receipt of Nathanael Greene's dispatches that were read in Congress this day.

Abraham Clark to Elias Dayton

Dear Sir, Philada. Octor. 16th. 1781

We have not yet recd any official Account of Genl. Greens Battle on the 8th Sept—from private Letters only all our intelligence come. No one here doubts a victory on our side, but I am strongly inclined to believe it was dearly purchased—we are in hourly expectation of the particulars. As to the operations with you, we are perfect Strangers to them. We hear you are near the Enemy but know nothing of your prospects. I hope they are favourable and that you make considerable progress—but I am not without my fears, from the Forces collecting at New York in all probability to relieve Cornwallis—their fleet is far from Contemptable, near or quite thirty ships of the Line besides frigates, fire Ships &c. We have not heard of their Sailing yet, I believe they are only waiting for a fair wind, they have, reports say, Six thousand troops embarked, their destination must be either Virginia or Carolina; I hope however the S W winds will keep them back till your work is fully Accomplished—the weather is uncommonly favourable for your Operations, and I hope a kind providence will direct every Element to favour our designs.

We have been long Alarmed in the Jerseys by the Enemy encamped with most of their Army on Staten Island but as they are now mostly imbarked, fears in that quarter seems to Subside.

By Mrs. Barnet lately returned from Eliza. Town I hear Mrs. Dayton hath been sick but was recovering her health.

I expect to leave this Town next month free from every public Charge as my Delegation will then expire, and my long continuance will excuse if not exclude me from the next Choice.

I have not heard how the Election in Essex hath issued or whether it is yet over or not. Hunterdon hath returned the old members except one in the Assembly in whose Stead Mr. Mehelme is Elected; in Gloucester Jos. Hugg is Chosen Counciler in the room of John Cooper, & in Burlington Colo. Cox in the room of Peter Talman, these are all the Counties I have heard from.

I wish you all possible Success in your present Operations and am, with all possible respect & Esteem, Dear Sir, Your Obedt. Humble Servt.

Abra. Clark

RC (PHi: Sprague Collection)

Abraham Clark to William Livingston

Sir,

Philada. Octor. 16. 1781.

Enclosed is a Copy or extract of a Letter to Mr. Jenifer with a Note Subjoined by himself & Colleagues, respecting a person in Morris County Jail a prisoner of War who they say had entered into the British service after being taken Prisoner and whom they wish to be discharged in order to return to Maryland, unless there are particular Circumstances against him unknown to them.[1] At their particular request for the above purpose I send the enclosed and shall be glad to hear from your Excellency soon on the Subject.

We have just recd Letters from Genll. Green with particulars of the engagmts. in South Carolina on the 8th Sept.

Prisoners taken by him about 500, Killed & wounded of the Enemy he estimates at upwards of 600 exclusive of the wounded among the Prisoners.

	Our Loss.		
	killed	wounded	Killed wounded & missing
Lieut. Colo.	1	5	6
Majors	1		1
Captains	6	13	19
Subalterns	8	25	33
Serjeants	8	32	41
Rank & file	114	300	454

I have no time to add other particulars which will soon be published. I have the honour to be, Your Excellencys Obedt & Hum Servt.

Abra. Clark.

RC (NN: Livingston Papers)

[1] No such note from Daniel of St. Thomas Jenifer and the Maryland delegates has been found, but the person at issue was apparently Jacob Handy, whose release was the subject of a letter from one Richard Sprigg to Gen. Philemon Dickinson, written on September 28 from "Strawberry Hill," which is now in the William Livingston Papers at MHi. Handy, Sprigg explained to Dickinson, "writes that He was taken in one of the Enimies Wood Vessells, on board of which He had entered in hopes of effecting his escape. As He is of a good Family in Somerset County that have distinguished themselves as firm Whigs to the American Cause, both in the Continental Army and our little Navey, I shall be particularly obliged if you will write to some Friend or the Executive Body in the Jerseys to enquire into his Case and get Him discharged." Dickinson was advised to send his answer "to the care of Major Jenifer now at Congress."

John Hanson to Thomas Sim Lee

My Dear Governor Philadelphia Octo. 16th 1781

I have the honor of yours of the 12th. No Express is yet Arrived from General Green—if he Comes by Water it may be Accounted for as the Winds for some days past have been Contrary. I wish to See a particular Account of the Killed and Wounded but at the same time am fearful for our line. it is reported that Colo Howard is Killed.

From undoubted intelligence the British have been reinforced Since the late engagement with Count de Grasse With Six Ships of the line & that their fleet now Consists of twenty nine Ships of the line. Mr Carroll and I had the honor of inclosing you Copys of some papers by Express[1] which I hope you receivd by which you are made Acquainted with the designs of the Enemy to relieve Lord Cornwallis by advices Since the Troops they take with them Amount to upwards of 5000. Their fleet is very formidable, And tho Considerably inferior to the french, yet as so much depends upon the Issue of their enterprize, I must Confess my fears are some what Excited—but hope for the best. The Account of the Arrival of Cloathing and Stores to the Eastward, which I mentioned in my last,[2] it seems is premature. Some Agreeable intelligence from the Southward is Contained in the last paper to which I refer you. And Am with the highest Sentiments of esteem and regard, Dear Sir, Your Excellency most humble Servt. John Hanson

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] See Maryland Delegates to Lee, October 13, 1781, note.

[2] Hanson to Lee, October 9, 1781.

John Hanson to Philip Thomas

Dear Doctr Philadelphia Octo. 16th. 1781

I receivd your favour of the 10th by the post—my last was by Mr Cromwell. I wrote you the week before by the post inclosing one to your Mother with Several newspapers which it Seems you have not received. Tricks are played in the post office at Baltimore, or your post rider is negligent, I never miss writing. The British have repaired the Damage Received in their late Engagement with the Count de Grasse And have been reinforced with Six Ships of the line and their fleet now Consists of 29 Ships of the line, which from undoubted intelligence Sailed from the Hook, about the 10th with ten fire Ships and upwards of five thousand Troops for the relief of Lord Cornwallis on whose Defence or Defeat, the Issue of the Contest they think depends. This is a very formidable fleet and thot. Considerably inferior to the French yet as so much depends upon the Event of a second engagement my fears are somewhat Exerted. The Count de Grasse And Gen. Washington are informed of their approach the former no doubt will be prepaired to receive them And the later will be quickened in his Operations Against the beseiged—in a few days we may expect to receive Advices of the last Importance. God grant they may be favourable to America. I am very Sorry Mr Johnson is left out of the Delegation. I wish with all my heart he had been in my place. Conscious of his Superior Abilities to Serve the public in general and our County in Particular. Supposing a vacancy Should happen would he do you think be Elected? I wish to be informed in this particular. The Post Comes in so late that I have hardly time to Write. Have inclosed a letter to your Mother who I hope is recovered from her late Illness. My love to the little ones. Yrs. &c,

J H

[*P.S.*] It would not I think be amiss to write to Miss Goddard to take more Care of letters that Come directed to you.

RC (MdHi: Hanson Letters).

Thomas McKean to James Milligan

Sir, Philadelphia, October 16th 1781.

Enclosed you will receive the copy of an act of Congress of the 13th instant, by which it appears you have been elected Comptroller.[1] Just now the Extract from the Secretary's office came to hand, and I sincerely congratulate you on the appointment, and the more so as I had the honor to put you in nomination. The salary is 1850 Dollars in specie per annum. I flatter myself with your acceptance of the office; you know perfectly all the duties of it by the experience of four years past, tho' under another Title. The sooner I hear from you on this head the more agreeable to Congress, as the business in this department is at a stand.

I am, with great personal esteem, Sir, Your most obedient servant

Tho. M:Kean, President

RC (PPInP). In a clerical hand and signed by McKean.

[1] *JCC*, 21:1050.

James Madison to Edmund Pendleton

Dear Sir Philada. Ocr. 16th. 1781.

When you get a sight of the Resolution of the Gen. Ass. referred to in your favor of the 8th[1] you will readily judge from the tenor of it what steps would be taken by the Delegates. It necessarily submitted the fate of the object in question to the discretion and prospects of the Gentleman whom reports it seems have arraigned to you, but who I am bound in justice to testify has entirely suported the character which he formerly held with you. I am somewhat surprized that you never had before known of the Resolution just mentioned especially as, what is indeed much more surprizing it was both debated & passed with open doors & a full gallery. This circumstance alone must have defeated any reservations attached to it.

The N. York papers and the intelligence from thence make it evident that they have no hope of relieving Cornwallis, unless it can be effected by some desperate naval experiment and that such an one will be made. Their force will probably amount to 26 Sail of the line, and if we are not misinformed as to the late arrival of three ships of the line to 29 Sail. The superiority still remaining on the part of our Allies and the repeated proofs given of their skill & bravery on the water forbid any apprehension of danger. At the same time we can not help calculating that every addition to the British force proportionally diminishes the certainty of success. A fleet of provisions amounting to about 40 Sail convoyed by a 44 & 2 frigates have arrived at N York within the week past.

Having sent all the papers containing the proceedings on the case of Mr. N. agst. V. as they came out, I shall to complete your view of it add the last effort in his favor published in the inclosed No. of the Freemans Journal. I am told however that the publisher ought to have subjoined that the privy Council interposed & directed restitution of the King of Spain's effects.[2]

I am Dr Sir Yrs Affecly. J. Madison Junr.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 3:289–90.

[1] For Pendleton's letter of October 8, 1781, and "the Resolution of the Gen. Ass." relaxing the state's position on Spanish recognition of American rights to navigate the Mississippi River, see ibid., pp. 277–79, especially notes 11 and 12.

[2] For the latest developments in Simon Nathan's case against Virginia, see Madison to Pendleton, October 2, note 2, and October 9, note 1. The "inclosed No." of the *Freeman's Journal* was the issue of October 10, 1781. For the "restitution of the King of Spain's effects," see Madison, *Papers* (Hutchinson), 3:290n.5.

Maryland Delegates to Thomas Sim Lee

Sir, Philadelphia Octr. 16th. 1781.

In consequence of your Excellencys Letter of the 6th[1] We applied to Mr. Bradford the Depy. Commy. of Prisoners at this Post, who has promised to do every thing in his power to obtain the exchanges you request, & has already transmitted the Paroles (which your Excellency enclosed) to the Commisy. of Prisoners at Elizabeth Town; As it is not known where those taken from the Enemy now are, we cannot with certainty say, that the exchanges will immediately take place; except as to Daniel Campbell, for whom Mr Bradford had sent a man from this place before your Letter came to hand. You may assure the friends of these unfortunates, that we shall do every thing in our power towards obtaining their releasement from Captivity.

We have the honor to be with the highest esteem & regard, Sir, Your Excellencys Most Obedient Servants,

Daniel of St Thos Jenifer
John Hanson
Danl. Carroll

RC (MdAA: Red Books). Written by Jenifer and signed by Jenifer, Carroll, and Hanson.

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[1] See *Md. Archives*, 45:634–35.

Rhode Island Delegates to William Greene

Sir, Philadelphia 16th Octr. 1781.

General Greene fought the British on the Eighth of last Month. The Action was general & continued with obstinate Bravery on both Sides for the Space of four Hours. The Enemy were superior in Numbers, but finally gave Way, and were totally routed. Their Loss, about six hundred, killed & wound[ed], besides five hundred Prisoners; Our Loss was five hundred & fifty four killed, wounded and missing.

Genl. Washington began his Fire upon Lord Cornwallis the Evening of the sixth Instant, Previous to which, Colo. Tarlton made a Sally on the Gloucester Side with six hundred Cavalry and Infantry; The Duke de Lauzun with his Legion and a Company of Militia attacked him, drove him into his Lines, having killed & wounded fifty odd; among the former was the commanding Officer of Infantry, and among the latter, Colo. Tarleton. The Duke's Loss was trifling. We expect the British Fleet will make an Attempt upon Count de Grasse with five Thousand Land Troops on Board. The

British Fleet consists of twenty six Ships of the Line, including two fifties. We flatter ourselves With the most important Events in our fav[or].

We have the Honor of being, with the greatest Esteem, your Excellency's most obedient and very humble Servts.[1]

JM Varnum

Danl Mowry

RC (R–Ar: Letters to Governors). Written by Varnum and signed by Varnum and Mowry.

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[1] For the continuation of this letter, see Rhode Island Delegates to Greene, October 23, 1781.

Roger Sherman to Jonathan Trumbull, Sr.

Sir Philadelphia Octr. 16th. 1781

Congress have this day recived a Letter from General Washington of the 6th Instant,[1] Enclosing one from General Green of the 11th of last month, giving a particular Account of the Action of the 8th of Septemr. about 60 miles from Chares'town wherein General Green obtained a Victory over the British Troops. He took 500 prisoners, and Supposes that the Enemy's loss in killed & wounded was not less than 600. They also found about 1000 muskets left by the Enemy. Our loss was 138 killed, 375 wounded and 41 missing. Officers killed, 1 Lt Colonel, 1 Major, 6 Captains & 8 Subalterns. Wounded 5 Lt. Colonels, 13 Captains and 25 Subalterns. Our officers & privates, both of the Continental Troops & Militia behaved with the greatest Bravery. The action was obstinate on both sides—preparations had been making for an Attack upon the Enemy at Virginia, which was to commence the 7th Instant. Some accounts have been lately received from Europe by the Minister of France & Communicated to Congress—which will be officially communicated to the Several States in a Short time—I wish that no hints of this kind be published from my letter. The Estimates for Supplies are nearly compleated and will be transmitted as Soon as possible. Connecticut is not Yet represented in Congress.[2] Enclosed is this days paper but it does not contain much news.

I have the Honor to be, with the greatest respect, Your Excellency's Most Obedient & humble Servant,

Roger Sherman

P.S. Admiral Digby Arrived at N. York with three Ships of the line, Some time ago & there has Since arrived one 40 gun Ship & 3 Frigates—by the best accounts their fleet was considerably disabled in the Action with Count De Grasse.

RC (Ct: Trumbull Papers).

[1] See Thomas McKean to Washington, October 18, 1781.

[2] For Connecticut's continued deficient representation, see John Hanson to Certain States, November 15, 1781.

Virginia Delegates to Thomas Nelson

Sir Philadelphia Oct. 16. 1781

Your excellency's favor of the 5th instant[1] gives us great reason to flatter ourselves upon the present prospect in Virginia. Intelligence from New-York announces a fixed purpose in Sir Henry Clinton to force his way into the Chesapeake, with a fleet of 26 certainly, and probably of 29, ships of the line and ten fireships. But we trust, that the bravery and ability, which have hitherto distinguished the French nation, and were so eminently displayed in the late rencontre of the duke de Lauzun,[2] will destroy the illusive opinion of Great Britain, that she reigns the sovereign of the sea.

We learn from the same source of information, that about 40 transports have arrived at New-York under convoy of a ship of 44 guns and two frigates.

In our letter of the last week, we promised a copy of our protest against the proceedings of a committee of congress with respect to our western territory.[3] Since that time we received notice to attend on Saturday last at a conference between the committee and the agent for the Illinois, Ouabache, and Indiana companies. We requested the committee to postpone the conference, until the extent of their power should be ascertained by a vote of congress: but we found, that application had been made for postponing by the agent. This business was adjourned to Thursday, and will then be entered upon, unless we can arrest it by a motion this morning.[4] It is our wish therefore to defer any farther communication on this head, until the fate of the intended motion shall be known.

Altho' we have refused to submit the territorial rights of Virginia to this committee, we cannot forbear to recommend, from an experience of the calumnies, to which her title is daily exposed, that a representation of her claims should be prepared, and authentic documents collected, at the instance of government.[5] The time may come, when the exercise of jurisdiction in congress will not be so objectionable, and so much opposed to the confederation, as the conduct of the committee now is. Should the cessions of Virginia and New-York be rejected, a contest may possibly arise between them, on the subject of the ceded territory. Impressed by the importance of these considerations, and the danger of injury to public records in a season of war, New-York has compiled every paper, which bears the most distant reference to her claims. Ought not Virginia to be equally wakful? She would derive much advantage, were a copy of her title-papers transmitted to her delegates in congress. At present tho' we are conscious of the justice of her demands, and may probably from memory run thro' the grounds of them, we shall not consider ourselves fully armed, until we are furnished in the most authentic, formal and official manner.[5]

We shall endeavour to secure to Virginia her proportion of clothing, agreeably to your excellency's recommendation.[6]

We have the honor to be, Sir, with great respect, Yr mo. obt. servts.

Jos. Jones

J Madison Junr.

Edmund Randolph.

RC (PHi: Gratz Collection). Written by Randolph and signed by Randolph, Jones, and Madison.

[1] See Madison, *Papers* (Hutchinson), 3:275–76.

[2] The delegates are referring to the duc de Lauzun's successful October 3 encounter with Lt. Col. Banastre Tarleton's legion on Gloucester Neck, across the river from Yorktown.

[3] See Virginia Delegates to Nelson, October 9, note 4, and Virginia Delegates' Protest, October 10, 1781.

[4] The committee appointed on October 2 to consider state land cessions and land company claims, for which see ibid., had proposed that the Virginia delegates meet with it and the agents of the united Illinois and Wabash and the Indiana land companies—James Wilson and William Trent—on October 13. The delegates demurred on the grounds that "Congress are interdicted by the Confederation from the cognizance of such [*land company*] claims, and because it derogates from the sovereignty of a State to be drawn into contest by an individual or company of individuals." For the motion made by the Virginia delegates in Congress "this morning" and the stalemate that resulted, *see JCC*, 21:1057–58, 1060–61, and Madison, *Papers* (Hutchinson), 3:288n.5, 290–91.

[5] Despite their request for a "representation" of Virginia's claims supported by "authentic documents," the delegates apparently received no such compilation of "title-papers" in the ensuing months, in part because the extant state records were still in Staunton. See ibid., p. 288n.6.

[6] See Madison to Edmund Pendleton, September 3, 1781, note 3, and ibid., p. 276n.6.

Thomas McKean to James Duane

Sir, Philada October 17th. 1781.

As I am uncertain whether you took with you a copy of the Act of Congress of the 25th ulto. in answer to the representation of the Caghnawaga Indians,[1] I have thought it adviseable to inclose one herewith.

Congress has received divers dispatches from General Greene yesterday; those relating to the battle on the 8th September will be published in the news-papers: it has been the most bloody of any fought this war.

General Washington is in a fair way of reducing Lord Cornwallis.

I am Sir &c &c, T. McK.[2]

LB (DNA: PCC, item 16).

[1] For which see McKean to Philip Schuyler, September 7, 1781, note 2.

[2] This day McKean also wrote the following letter to Massachusetts governor John Hancock: "I have the honor to inclose your Excellency the copy of an Act of Congress of the 12th instant respecting the Officers in the late mustering department within the State of Massachusetts [*i.e.*, "allowing them what their arrears of pay and year's advance was worth in specie"]. See PCC, item 16, fol. 100; and *JCC*, 21:1048.

Thomas McKean to William Heath

Sir, Philadelphia, October 17th. 1781.

Your letters of the 20th September, the 3d, 4th and 7th instant came Safe to hand and were read in Congress.[1] The last was not received until the 15th[2] notwithstanding it's importance: the indorsement on the back, "that it should be forwarded by Express who was to ride night & day," was blotted out, and the letter itself eight days on the passage. I have not yet been able to trace the negligent person.

Enclosed herewith you will receive the copy of an Act of Congress of the 24th last, respecting Brigadier General Irwin's command at Pittsburg,[3] for your information: the General could not leave this city until the 13th instant.

I am, Sir, with very great respect, Your most obedient humble servant, Tho M. Kean President

RC (MHi: Heath Papers). In a clerical hand and signed by McKean.

[1] See *JCC*, 21:1032, 1039, 1044, 1051; and PCC, item 157, fols. 310–35. A letter from Heath of October 11 was also read in Congress on October 15. *JCC*, 21:1052; and PCC, item 157, fols. 343–45.

[2] According to the journals and Charles Thomson's endorsement, this letter was actually read in Congress on October 13.

[3] See McKean to Daniel Brodhead, September 25, 1781.

Thomas McKean to George Washington

Sir, (Private) Philadelphia, October 18th. 1781.

Your Excellency's letter of the 6th instant came to hand on the 16th and was read in Congress.[1] I have very little intelligence besides what is contained in General Heath's letter of the 9th, a copy of which you have inclosed herewith, and the letter from Colo Silvanus Seely, which is now forwarded, together with one for Colo. Ogden.[2]

The British Fleet had not sailed on Monday, and it is believed they will not be fully ready until Sunday next.

As Chief Justice of this State I shall be under a necessity of attending the Supreme Court next week; besides my health requires a ride into the country, and my mind some relaxation: I shall therefore resign the chair of Congress. If you should after the receipt of this honor me with any private communications, I must request you would not direct to the President of Congress.

I am, Sir, with the most perfect esteem, Your Excellency's Most obedient & most humble Servant, Tho M:Kean

RC (DLC: Washington Papers). In a clerical hand and signed by McKean.

[1] See *JCC*, 21:1055; PCC, item 152, 10:261–64; and Washington, *Writings* (Fitzpatrick), 23:188.

[2] Heath's letter is in PCC, item 157, fols. 337–40; and the Washington Papers, DLC. Letters from Silvanus Seely to Washington of October 14 and 18 are in the Washington Papers, but as Seely was writing from "Camp Connecticut Farms," N.J. reporting movements of the British fleet at New York, the former was undoubtedly the document enclosed by McKean.

McKean also wrote a brief letter to Heath the following day, acknowledging receipt of this letter and enclosing a copy of Congress' September 28 resolution "for settling the depreciation of pay of the General Officers," for which see PCC, item 16, fol. 101; and McKean to the States, September 29, 1781.

Thomas McKean to John Laurance

Sir, Philada. Octr. 19th. 1781.

Congress on the 28th of September last appointed a mode for settling the depreciation of pay of the Officers in your department,[1] as you will observe by an Act of Congress of that date, of which you have a copy inclosed.

I am, with great respect &c &c &c, T. M K: Presidt

LB (DNA: PCC, item 16).

[1] That is, of "the judge advocate and his assistants," for which see *JCC*, 21:1020–21. Although this resolution had been adopted on September 28, McKean had failed to notify Laurance of Congress' action, and the judge advocate had come to Philadelphia on October 18 to renew his appeal for relief. See PCC, item 148, 2:311–14, 407–12.

McKean also enclosed a copy of this resolution with a brief letter to New York governor George Clinton this day. PCC, item 16, fol. 102.

Elias Boudinot to William Livingston

Dear Sir, Philadelphia Octr. 20 1781

I am authorized to give your Excellency official Intelligence that the Enemy, in order to carry on their Correspondence thro' our State, make use of a number of Pedlars, who are supplied with proper Certificates or Licences according to Law, which I suppose they forge for this Purpose.

We have had no official Information from Head Quarters since the 6th—the private Intelligence is all contained in the News Papers of this Day.

I have the honor to be with great Respect, Your Excellency's Most Obedt Hble Servt. Elias Boudinot

RC (NN: Livingston Papers).

Thomas McKean to Benjamin Franklin

Sir, Philadelphia, October 20th. 1781.[1]

Inclosed you will receive a letter from Congress to his most Christian Majesty.[2]

As it contains a general answer to his dispatches by Lt. Colo. Laurens, and informs him, that we have charged our Minister plenipotentiary at Versailles to render more particular acknowledgements for his zeal for the reestablishment of peace upon principles coinciding with the liberty and sovereignty of the United States, and for the important succours lately administered to our necessities, we must call your attention to this subject.

We cannot transmit, at present, any intelligence concerning our arrangements. Imediately on their completion you shall be furnished with a copy of them.

I have the honor to be, with the utmost regard, Sir, Your most obedient & most humble Servant.

Thos M:Kean President

RC (DeHi: McKean Papers).

[1] This letter is printed under the date October 18 in Burnett, *Letters*, 6:245–46.

[2] For this letter to the King of France, which was drafted by Edmund Randolph for a committee appointed to confer with the chevalier de La Luzerne, see *JCC*, 21:1063–64, and PCC, item 25, 1:275–76. Randolph's draft of this letter to Franklin, along with a resolution he offered on October 23 (*JCC*, 21:1070) authorizing the superintendent of finance to communicate directly with American ministers abroad "upon subjects relating to his department," is in the Thomas McKean Papers, PHi.

Elias Boudinot to Hannah Boudinot

My dearest Love, Philadelphia Octr. 21 1781

I am sorry you did not oblige me by leaving a Line to come by the Stage on Tuesday, as I have remained in great anxiety for you & my dear Daughter. I wrote by the Stage on Thursday in hopes you were there, as I did not hear of your setting out for home, till Dr. Rodgers came on Friday. This painful Separation is not the thing; it seems like shortening the little Time that yet remains for us. My Mind has been rather gloomy, by reason of so many distresses of my Friends on every Quarter. I suppose you have heard of the sudden & unexpected Death of our Friend Dr. Scudder.

He went out as usual to see his Patients, on the way met Genl Forman, who was getting a few Men together to drive off some refugees that had landed on the Shore. They went together & found them in their Boats & just pushed off—on the Enemy seeing them coming down, at about 500 Yards distance, one of them fired his Piece, a random Shot, but commissioned from above. The Ball entered just on one side of the Nose & went thro' the Doctors Head—he died in about 2 Hours, thus a helpless Family is left in very destitute Circumstances, as I believe the Doctors attention to Politicks has been very prejudicial to his little Estate. My heart bleeds for his widow & Children—but what is even this, at New London 66 widows were made in one day. One poor Woman carried off the Corpses of her husband & five Sons at once.

These are times of distress indeed. May God of his infinite Mercy make us thankfull for his uncounted Favours to Us, and enable us to stand with our Loins girt & Lamps trimmed allways waiting for the Comeing of the Bridegroom.

A Letter of the 12th from the Genl. informd us, that the 9th & 10 the Trenches were opened and the fire of about 28 or 29 Cannon let loose on the enemy with about 8 or 10 Mortars.[1] The Enemy's Cannon were soon silenced as the distance was but abt 500 yards. The second Parralell was then formed without much annoyance, which brings us within 300 Yards. The Enemy's Works was much damaged & several british Officers & Many Men were killed—three of their Vessels had been burned with red hot Shot. As soon as the Batteries of the 2d Parralell were opened with the 42 pounders, which would be perhaps the 14th, it was thought nothing could stand before them. The General expected that his Lordship would make a desperate Sally the Night of the 12th or the 13th. The English Fleet of 26 Sail & 5000 Troops sailed on Friday Night from the Hook, the news of which must have got to Genl Washington this Evening, so that he will be prepared for them, tho' as the Wind stands, it will be many Days before they get to the Chesapeak.

Clinton recd a Letter from Cornwallis, dated the 8th intreating for aid & assistance, with the Importunity of a Courtier, but hope he is too late, tho we all know, that the Battle is not allways to the strong nor the Race to the Swift. My Comfort is that the will of God, will certainly be done.

As I am & shall be particularly hurried for 2 days to come, I shan't have time to write to Lewis, let him have this News as soon as you can.

Monday Morning[2]—8 oClock. At three oClock this Morning, an Express arrived with the glorious News of the Surrender of Lord Cornwallis with his whole Army. God be praised. It was on Wednesday last. I congratulate you and all our Friends.

Yours E. B.[3]

RC (NN: Emmet Collection).

[1] Washington's October 12 letter was read in Congress on October 22. See *JCC*, 21:1068; PCC, item 152, 10:265–68; and Washington, *Writings* (Fitzpatrick), 23:212–13.

[2] That is, October 22.

[3] Boudinot also wrote a letter on October 22 to his daughter, Susan, concerning her health and happiness and informing her that: "We expect the official Confirmation of the glorious News of Cornwallis's Surrender on the 17th Instt. to morrow, when we are to go in Procession, attended by the Counsel, Assembly, Minister of France &c &c to Church to return publick Thanks to almighty God for his special Favour in the capture of his Lordship & the british Army—after which there will be great doings here." Stimpson-Boudinot Collection, NjP.

Elias Boudinot to William Livingston

Philadelphia Octr 21 [22].[1] 1781
8 oClock in the Morning

Mr. Boudinot has but a Moment to Congratulate his Friends in Jersey on the surrender of Lord Cornwallis & his whole Army on Wednesday last. This comes by Express from Govr. Lee, who recd. the first intelligence from Count De Grasse.

The Govr. will be pleased to let the Stage man carry this on to Eliz. Town.

RC (NN: Livingston Papers). In Elias Boudinot's hand, though not signed.

[1] That is, Monday, October 22, for which see the following entry.

Daniel of St. Thomas Jenifer to Thomas Sim Lee

Sir, Oct. 22d. 1781

Parker delivered your Excelys. Letter to the President of Congress about one o'Clock this morning informing of the Capture of Lord Cornwallis.[1] His Excellency informed me that Your attention required a politer acknowledgemt than he had at present time to make & therefore was obliged to delay his Letter of acknowledgement till to morrow.[2]

I most sincerely congratulate your Excellency on this most important Event much heighten'd by little or no loss to the American Army. With my respectful Compliments to the Council, I am, Sir Yr. Excellencys most Obed Sevt.

Daniel of St Thos Jenifer[3]

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] Lee's October 20 letter, which was endorsed by Pres. Thomas McKean "Received at 2 o'Clock A.M. Octr. 22d. 1781," was read in Congress this day. Lee enclosed a translated copy of an October 18 letter from the comte de Grasse who had informed the governor that in the wake of Cornwallis' capitulation he would reembark his marines and "quit the bay Chesapeak" with the intention of "stopping if I can Sir Henry Clinton." See *JCC*, 21:1068; PCC, item 70, fols. 495–99.

[2] President McKean apparently never sent the promised "acknowledgement."

[3] Although Jenifer's credentials would not expire until a new slate of Maryland delegates was elected on November 28, this is his last letter as a congressional delegate and he is not listed in attendance in Congress after November 5. Nevertheless, he called on Superintendent Robert Morris on the 8th for "an Estimate of the Expence of the Civil List which he wanted to transmit to his State" and was invited by Morris on the 12th to dine with him on the 15th. He did not vote with his fellow delegates on November 14. See *JCC*, 21:1100, 1103, 1114, 1152; and Morris, *Papers* (Ferguson), 3:163, 173, 187.

Thomas McKean to Robert R. Livingston

Dear Sir, Philadelphia, October 22d. 1781.

In answer to your favor of Saturday I can only say, that I have known Major Du Ponceau from the time he arrived at York-Town in this State early in 1778 with Baron Steuben; that he then understood the English language well, and the Baron, when he introduced him to me, informed me of his being a Proficient in the French, German, Spanish and some other languages; that I have since had satisfactory proof of his knowledge in the languages enumerated, of his fidelity to the cause and independence of the United States, of which he has given this evidence, that he has a considerable time ago taken the oath of Allegiance to the State of Pennsylva.[1]

He has always bore the character of an industrious, sober and moral man, and that of a Gentleman.

I am, dear Sir, Your most obedient humble servt.

Tho M: Kean

RC (DLC: Boudinot Papers).

[1] Pierre Etienne Du Ponceau was appointed Livingston's undersecretary in the department of foreign affairs this day, a post he filled until 1783. See these *Letters*, 9:367n; and PCC, item 79, 3:112, item 195, fol. 291.

The following letter to Livingston in behalf of Du Ponceau, written by James Lovell but dated only "Octr. 1781," is also in the Boudinot Papers, DLC.

"The Manner in which the Bearer Captain Du Ponceau has been recommended to Congress by Baron Steuben, after long Tryal & Experience in the Confidential Connexion of Secretary, renders it almost needless for me to mention that the Opinions of the Chevalier Du Portail and many other French Gentlemen, warmly interested in our Cause, have concurred to induce me to fix my Attention upon this Gentleman and to present him to you as being extremely well qualified to render Service to the United States and facilitate your Execution of the important Business of our foreign Affairs by his uncommon Knowledge of Languages, his industrious Disposition, his historical Acquirements, his Probity, and his Ambition to be useful to America.

"If, in forming the Arraggements for your Office you shall either make or recommend Appointments in which this Gentleman's Talents could be exerted, I flatter myself you will not be unmindful of the Testimonies which I have here presented."

John Mathews to Nathanael Greene

Dear Sir, Philadelphia Octr 22, 1781

Here I am laid fast by the heels, tho' God knows, I have committed neither Treason, Murder, felony, or any other misdemeanor; but my misfortune proceeds entirely from the malice of a grim surly scoundrel, a Mr. Gout. He has attacked me with the height of his venom & for eight days past has given me little peace. However he has at last relented, & permits me to address a few lines to you by Mr. Bee.[1]

I most sincerely congratulate you on your late victory. It was truely important, and glorious, & every well wisher to our cause, eagerly bestows on you that tribute of praise, which is so justly due to your abilities. May Heaven continue to prosper your undertakings & crown you with compleat success. You have already won more laurels than comes to the share of one person, it is true, but they cannot better be bestowed; as I am convinced they can never have the effects on you that they but too frequently have on weak minds; on the contrary, that each acquisition will rather serve as a stimulus to new exertions & more forcibly prove you the firm Patriot, the able General, & familiar Gentleman.

And now My friend, permit me to give you a word of advice, or rather remonstrance. I am told from good authority that you expose yourself in time of action as a common man. In this I must take the liberty to say I think you very wrong. How often has compleat victory been snatched from an almost Conquering Army by the untimely fall of an able & much respected commander. Consider my Dr Sir, our country essentially depends on your abilities for her deliverance. The progress you have already made in this great work, has given them a confidence in you which could not be readily impressed on them by a Successor; in the mean-time confusion & a thousand inconveniencies must ensue. I'll say no more.

I wrote you in my last that the eyes of all the world was upon you in the affair of Collo Hayne.[2] You have the full powers from Congress, & I dare say you will make a proper use of them. Retaliation for that murder must be had; but the longer it is delayed, the less influence it will have. I can't think there is a necessity for the subject of retaliation being of the same rank; the whole matter is—have you the spirit to put to death a BRITISH OFFICER. Once convince them that we dare do it, & the matter is settled, & my head for it, you will hear of no more executions on their Part. I refer you for news to our letter to the Governor.[3]

I am My Dr. sir, with the most sincere Esteem, yr. Obedt. Servt.

Jno. Mathews

P.S. Victory seems at length to have taken her seat on the American standard, & if that fickle Bitch Madam fortune does not outmanuvre Us, we shall, I think, regain Chs. town 'ere long. I don't yet dispair of seeing Cornwallis neck stretched, as some small sacrifice to the manes of the numbers whose necks he has stretched.

RC (NNPM: Siege of Yorktown Collection).

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[1] There is no evidence in the journals that Thomas Bee attended Congress from October 17 to November 5, 1781, even though he was given a general committee assignment on October 30. See *JCC*, 21:1061, 1074, 1078, 1088, 1090, 1100. If he was preparing for a trip to South Carolina at this time, however, his plans were undoubtedly aborted for he continued to serve in Congress until May 1782.

[2] See Mathews to Greene, September 29, 1781.

[3] Not found.

Elias Boudinot to Elisha Boudinot

My dear Brother, Philadelphia Octr. 23d 1781.

I take the first opportunity that offers of Congratulating you on the glorious Success of the allied Arms, in the Capture of Lord Cornwallis and his whole Army on the 17th Instt. a Day famous in the annals of american History. Our official Accounts are not yet come to Hand, but a Letter from Compte de Grass announces this happy Event. Would to God, that a deep Sense of Gratitude may follow this remarkable Smile of Heaven at this critical Era.

The Extent of this great Victory, cannot be judged of, but by those who are in the Cabinet. It must exceed the most exaggerated Ideas you can form of it.

Compte de Grass is gone out to meet the English Fleet, possessed of the Knowledge of every Circumstance relative to it.

Kind Love to Sister—Kiss the Heiress for me. Am Yours very Afftly.

Elias Boudinot

RC (PHi: Etting Collection)

Elias Boudinot to Lewis Pintard

My dear Sir, Philadelphia Octr. 23d. 1781

Your Favour came safe to hand by the Post, and just before arrived the glorious News of the surrender of Lord Cornwallis to Genl. Washington on the 17th: a Day which will ever hereafter be famous in the Annals of american History for two of the most remarkable Events of this important revolution viz. the Capture of Burgoyne the pretended Conqueror of the North and Cornwallis the flourishing Conqueror of the South. Our Official Letters are not yet arrived and are not expected till to morrow Evening. The News is announced in a Letter from Compte De Gras, who is gone out to meet the English Fleet. I sent this Intelligence to you yesterday as soon as it arrived, via Princton in hopes it would arrive before the Post, that you might not loose a Moment in being partaken of our Joy. I am obliged to you for your News; but the combined Fleet was not bound to Gibraltar but after convoying the French Troops to Minorca, are actually now stretched from Ushant to Ireland, in order to destroy the whole Trade of Great Brittain, especially by taking the Jamaica Fleet, and also prevent any Succors being sent to Minorca. We have had the most particular & exact acct. of every Movemt of the Enemy at New York and know the particulars of all their Designs. I hope to see you soon. I wish you would bring me 8 or 10 Guineas as I shall be in want. If Count Delpine should slip into New York instead of meeting the English Fleet, it would be a glorious Maneuvre.

Am with great Afft., Yours, B

RC (PHi: Boudinot Papers)

Daniel Carroll to Thomas Sim Lee

Dear Sir, Pha. Octr. [23?][1] 81.

Capn. Swan will deliver you the Camblet, Baze & Velvet for your great Coat. On receiving your Letter I applied at the House where Mr Buchanan lodg'd to know if he had left any cloth &c but coud not find he had; he mentiond to me that he shoud leave some memorandums of things to be got for you, in Case he did not procure them himself, but not hearing any thing more from him about them, I concluded he had taken them with him—& Mr A Hanson tells me, that Mr Buchanan inform'd him at Baltimore your Cloth &ca was on the way down. I therefore hope you have receivd them before this time. We will settle when I have the pleasure to meet you, I expect that will be in Novr. but how early I cannot ascertain—two things may retard my return as Soon as I wish. Congress is at this time very thinly represented, and as the Major[2] Returns about the Middle of Novr. it is possible in order to keep up a Congress Maryland shou'd remain represented, to Say nothing of the great delay of Material Business when there are only seven or eight States, as it requires Seven to agree. I am afraid the State of my finances will be another difficulty. Mullahon has made Sale of the tobacco, but on credit, & it is uncertain whether I can negotiate & Settle my accounts here at that fund. I am anxious to be down in the 2d week of November for many reasons, among others I Shall feel myself in an awkard situation to be here at the time the delegates to Congress are chosen. It has in some degree the appearance of a confidence that I Shall be continued, and I must acknowledge to you *being on the Spot here* it wou'd be Some mortification to me to [be] left out—for these reasons I shall be down if possible.[3]

Present my Comps. to Mrs Lee. I am Dr. Sr. with great esteem, Yr. Afft. Hble Serv. Danl. Carroll

P.S. I believe the report of Gillons arrival was premature.

RC (PHi: Gratz Collection).

[1] Although Carroll left the day of this letter blank, it may be conjectured that he wrote it on the 23rd since eleven of the twelve identified letters that Carroll sent to Lee from August 21 to October 16 were written on Tuesday or post day. His speculation about returning to Maryland "in the 2d week of November" rather than "in two weeks" makes the following Tuesday, October 30, a less likely date. He also points out in his postscript that the report of Capt. Alexander Gillon's return from France, which Carroll had transmitted to Lee in his letter of October 9, "was premature," an observation that John Hanson had already made in his October 16 letter to Lee.

[2] That is, Daniel of St. Thomas Jenifer, for whose departure see Jenifer to Lee, October 22, 1781, note 3.

[3] It is evident from the journals that Carroll remained in Philadelphia during the month of November, but was nonetheless reelected to Congress on November 28. See *JCC*, 21:1100, 1114, 1119–21, 1130, 1147–48, 1151–52.

Abraham Clark to John Mehelm

Sir, Philada. Octor. 23d. 1781

The Instructions from the Legislature respecting the Western Lands and Indiania Claim &c. have been recd and attended to.[1] The Cession of Virginia & the Indiania Claim &c are before a Committee who have not yet reported. The few states at present represented in Congress will render any proceeding in this business difficul[t] if not impracticable, a determination cannot be had without a fuller Representation.

With regard to a *Division of the Islands and Bars in Delaware Bay & River,*[2] I beg leave with all due deference to the Opinion of the Legislature to propose to your consideration whether it will not be best to apply to the Legislatures of Pennsa. & Delaware for such a Division previous to any Application for the appointment of Commissrs.—a settlement by Commrs. Agreable to the Confederation will be attended with a large expense when in all probability the Business can be effected by the Legislatures with little if any. Mr. McKean assures me the Legislature of Delaware will chearfully come into the Settlement you propose, they are sensible of the Necessity of the measure; he informs me their grant takes in all the Islands in Delaware Bay, but thinks they will Notwithstanding Divide with us. I do not remember the bounds of the grant to New Jersey so far as may respect the Islands, & have never seen those of Pennsa. and Delaware. With regard to Pennsa. if a settlement can be effected by Acts of the Legislature, it will be the most Cheap and Expeditious method, and I cannot yet find there will be any Objection to it here, it can at least be proposed to the Legislature, but those Applications your Delegates are not empowered to make.

I have Conversed with all my Colleagues upon this Subject (except Dr. Witherspoon who hath just made his appearance) and find we all concur in Opinion, but we are all equally at a loss of the meaning of the words, *Saving and reserving to all persons in their Legal & Equitable Claims,*—as in the preceeding words you Claim *all such Islands and Bars as lie between the Jersey shore and the main Channel of Delaware Bay & River with the Right of Soil and Jurisdiction.* In the grant to New Jersey both soil and Jurisdiction are granted, the soil is become the property of the West Jersey proprietors that is all such Land as is within the Limits, those Limits being Settled, I suppose no person can have a *Legal* claim within the same except under the proprietors, and it can hardly be Supposed the Legislature meant to Countenance any Claim under Pennsylva. or Delaware within such bounds, tho' the words *equitable Claims* seems to hold up such an Idea in favour of long possession. If this is intended, nothing short of Laws in the respective states can be binding; Commrs. can have not to do with the private Rights of Individuals in Cases like these. If it should be the pleasure of the Legislature to make any proposals to Pennsyla. & Delaware, I think the same should be pointed out with precision, or at least such precision pointed out to such as may be empowered to Negociate the business. Might I give my Opinion, I should suppose *the Main Channel* a proper boundary as far as the tide flows; beyond that, where the main Channel cannot be Ascertained by depth of water—Island Lying nearest the shore of either state to belong to such state; as this may only respect Jurisdiction, the Right of Soil will require particular Attention in which possibly respect will be had, to possessions of longstanding which had in the first Acquiring them the Appearance of Legallity on their side.

I have the honour to be, with all due respect, Sir, Your Obedient & Humble Servt.

Abra. Clark

RC (Nj: State Papers). Addressed: "The Honble. the Speaker of Assembly."

[1] The New Jersey legislature had adopted instructions on October 4 ordering the New Jersey delegates to seek redress for "great injury done [. . .] by the said State of Virginia" by a speedy "Hearing and Decision on the Case of the Proprietors of a tract of Land called Indiana." Journal of the Legislative Council of the State of New Jersey, October 4, 1781, pp. 43–44, DLC(ESR). For the context of this issue, see Virginia Delegates to Thomas Nelson, October 9, note 4, and October 23, 1781.

[2] The New Jersey legislature had also instructed its delegates "to apply to Congress to annex all such of those Islands and Bars as lie between the *Jersey* shore and the main Channel of *Delaware* Bay and River to this State, with the Right of Soil and Jurisdiction," and to notify the governments of Pennsylvania and Delaware for the purpose of appointing commissioners to divide the territory as "soon as Congress may have agreed to the same." Ibid., p. 44. See also Clark to Mehelm, December 18, 1781.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir,

Philadelphia Octr. 23. 1781

We beg Leave to congratulate your Excellency upon the important Event of the Surrending of Lord Cornwallis & his Army and tho Congress have not as yet receivd an Official Account of the particulars Yet it comes in such a Channel that it cannot be doubted—namely by a Letter from Governor Lee of Maryland to the President of Congress inclosing a paragraph of a Letter from Count De Grass to him, acquainting him thereon & that he was taking his Marines on Board in order to go in quest of the British Fleet.

Mr. McKean has this day resign'd the Chair, in order to attend the superior Court—& the Election of another is postponed till to morrow.[1] The Estimates for the Current Year will be ready in a few days, which we shall forward as soon as may be. Mr. Law arrivd safe on the Morning of the 21st instant.[2] But Nine States are at present represented—it is of much Consequence that a full Representation be Keept up. Inclosed, is a Resolve for a day of Thanksgiving[3]—have not to add but remain Your Excellencys most obedt & very humble Servts,

Roger Sherman

Rich Law

RC (Ct: Trumbull Papers). Written by Law and signed by Law and Sherman.

[1] See Thomas McKean to Charles Thomson, this date.

[2] Richard Law took his seat in Congress on October 22. *JCC*, 21:1068. According to his accounts in the Revolutionary War Collection, Ct, which cleared the Connecticut Pay Table Office October 25, 1782, he subsequently claimed £199.16 ("222 Days . . . at 18/") for service during his "2d Tour of Philada. from October 13th. 1781 to May 22d. 1782."

[3] Undoubtedly a copy of the September 13 resolution setting December 13 as a day of thanksgiving. The congressional proclamation commemorating this day was not adopted until October 26. See Thomas McKean to the States, October 31, 1781.

John Hanson to Philip Thomas

Dear Doctr. Philadelphia October 23d. 1781

I thank you for your letter of the 16th and for the information it Contains—it affords me great pleasure to hear that your mother is recovered from her late Illness, that the Dear little ones are well and that you are on the mending hand. You have acted wisely I think in giving up your magestrates Commission. I allways was fearful that the multiplicity of Business you was engaged in was prejudicial to your health and am therefore very glad you have resigned part of it. The British property in Frederick I think is well Sold. I by no means Condem your purchase—it will make you Easy on account of a house to live in for the present and Should you incline to Sell it hereafter it is probable you will not lose by it.

I Should have been glad to have purchased one of the Lotts sold to Magruder and Gant but as it would have laid me under the disagreeable necessity of asking for Security, and as the payments might perhaps have embarrassed me, I thought it more prudent to decline, especially too as I thought it would go very high. I have expectations of adding to my land under the Mountain, which a purchase might have prevented however I wrote to you on the Subject Just after my Arrival here, which it Seems you did not receive. Colo Price has been lucky in his purchase which I am very glad off. I wish Mr Harrisons purchase may turn out to his Advantage. I am afraid the Situation is unhealthy. He has a numerous family and Should it turn out So they must be misserable.

best copy available

I Congratulate you most sincerely on the Surrender of Lord Cornwallis to Gen. Washington, of which most important Event, we have information by a Letter from the Count de Grasse dated the 18th to Governor Lee and by him forwarded to the President of Congress by Express. The particulars we Expect to receive from General Washington in two or three days. The Counts Letter is as follows. "I have Just desired Genral Washington to Send me back my Troops of which probably he will no longer Stand in need as Lord Cornwallis has Surrended, as soon as they are embarked I shall quit the Bay of Chesapeake, And endeavour still to Cooperate to the welfare of the united States in stopping If I can Sir Henry Clinton." The British fleet sailed from the Hook on the 19th in the evening, And as the winds have been unfavourable for them it is probable the Count will get out before they make our Capes, And as his force is greatly Superior to the British Should they Come to blows the most favourable Issue for us may be expected. The Capture of Cornwallis with the great number of Vessels and the large quantity of British and West India Goods, Arms &c that must have fallen into hands, is a most Capital Stroke and will tend more towards obtaining peace and to the security of our Independance than the best managed negotiations. I was ever of Opinion, that no depredations upon the trade of the English, no Conquests of their possessions in the East and West Indias, will induce them to make peace, while they have An Army in the united states, And Can flatter themselves, with the hopes of Conquering or regaining America, because it is probable they think that with America under their Government, they Can Easily regain whatever they may loose now in any part of the world, whereas the total expulsion or Captivity of their forces in the united states would extinguish their hopes and dispose them to peace Sooner than Any thing Else. My Compliments to Mr Johnsons, Potts's &c &c.

Yrs, J H

RC (MdHi: Hanson Letters).

Thomas McKean to Charles Thomson

Sir, Philadelphia. October 23d. 1781

I must beg you to remind Congress, that, when they did me the honor of electing me President and before I assumed the Chair, I informed them that as Chief-Justice of Pennsylvania I should be under the necessity of attending the Supreme Court of that State the latter end of September or at farthest in October. That Court will be held to day; I must therefore request that they will be pleased to proceed to the choice of another President.[1]

I am, Sir, with much respect, Your most obedient humble Servant,

Tho M:Kean[2]

RC (DNA: PCC, item 78).

[1] Upon receiving this letter, Congress immediately resolved to accept McKean's resignation but also postponed electing a successor until the following day, at which time they prevailed upon him to continue in the chair "till the first Monday in November next," the beginning of a new Congress under the Articles of Confederation and the day John Hanson was elected to succeed him. See *JCC*, 21:1069–71, 1099–1100.

[2] McKean also wrote a brief letter this day to Gen. Philip Schuyler enclosing an October 18 congressional resolution terminating his authority to grant pay and rations to "volunteers" from Canada, whom he had been empowered to employ since August 1776. See *JCC*, 5:646, 21:1062; and PCC, item 16, fol. 104.

Edmund Randolph to Theodorick Bland

Dear sir, Philadelphia, October 23d, 1781.

Since your departure not a syllable of foreign intelligence has occurred. Nor indeed have we heard any thing domestic, except the surrender of Cornwallis—an event on which I most sincerely rejoice with you. I shall send your papers, as many of them at least as I can collect in the course of each week, by every post. A committee of our body are engaged in the memorials of the different land companies. They seem inclined to strike Virginia. We have endeavored to warn them of this improper exercise of jurisdiction.[1] I wish that their proceeding may not oblige our country to awake to something wrathful.

Mrs. Randolph and myself beg our compliments to Mrs. Bland. Believe me to be, dear sir, with regard, your most obedient serv't, &c.

MS not found; reprinted from *The Bland Papers*, ed. Charles Campbell, 2 vols. (Petersburg, Va.: Edmund & Julian C. Ruffin, 1840–43), 2:78.

[1] See Virginia Delegates' Protest, October 10, 1781.

Rhode Island Delegates to William Greene

Sir, Octr. 23d, 1781.

This Letter has been delayed thro' Accident; However it now covers a Paper informing of the Particulars of Genl. Greenes Action. Yesterday arrived an Express from Governor Lee of Maryland, covering a Letter from Count de Grasse, in which he informs that he had sent to General Washington for his Troops, as his Excellency would have no further Occasion for them, Lord Cornwallis having surrendered on the 17th instant. The Count determined to put to Sea with his whole Force to meet, if possible, the British Fleet, they sailed on Saturday Morning last with Twenty eight Sail, including three fifties, a Number of forties and Frigates, & a great Number of fire Ships [. . .] Intention of going to Chesapeak, having [on board fi]ve Thousand Land Troops. God send th[e . . . .]

We are, your Excellency's [most] obedt. & very humble Servts

J M Varnum

Danl Mowry

P.S. We had yesterday the Honor of your favor of the 9th Instant. The Gentleman therein mentioned has not arrived: When he does, we shall pay him due Respect.

RC (R–Ar: Letters to Governors). A continuation of Rhode Island Delegates to Greene, October 16, 1781.

Virginia Delegates to Thomas Nelson

Sir Philadelphia October 23, 1781.

The committee, to whom was referred the cession of Virginia, have been industrious in the audience of counsel, and investigation of the claims of the several great land-companies. We refused to attend their summons, and our reasons will be transmitted to your excellency, as soon as a full state of this proceeding can be prepared.[1] In the mean time, altho' we cannot but view with a suspicious eye the conduct, hitherto observed by congress towards our country on the subject of western territory, we wish, that every public act, having this conduct for its object, may be postponed, until a particular account of this matter shall be received from us. We should not have intruded this observation upon your excellency, had we not reason from some private dispatches to believe, that our country is highly inflamed against congress on this ground. Perhaps our success in the capture of Cornwallis, upon which we cordially rejoice with your excellency, may dictate, from motives of prudence, the suppression of every wrathful measure, until an opportunity more fit.

We shall endeavour to forward by the next mail a cypher, for the communication of secret intelligence without danger of detection.[2]

We have the honor Sir to be, with great respect, your most obedient servants,

Jos. Jones.

James Madison Junr.

Edmund Randolph.

RC (PHi: Dreer Collection). Written by Randolph and signed by Randolph, Jones, and Madison.

[1] See the Virginia Delegates to Nelson, October 9, note 4, and October 16, note 4; and Virginia Delegates' Protest, October 10, 1781.

[2] The cipher was not sent to Gov. Benjamin Harrison until Edmund Randolph returned to Virginia the following April, for which see Virginia Delegates to Harrison, February 15, note 3, and April 23, 1782, note 5.

Elias Boudinot to William Livingston

Dr. Sir, Philadelphia Octr. 24. 1781

This Morning we recd. an official Acct. of the Surrender of Lord Cornwallis on the 19th, tho it was begun on the 17th Instt.[1] His Garrison consisted of upwards of 5000 regular Troops besides Sailors &c. They are Prisoners of War, and the Capitulation on the Basis of that allowed to our People at Charles Town. However I think it rather too favourable, tho' it was a great Point gained to finish so as to allow Count deGrass to get to sea before the British fleet arrived at the Chesepeak. I heartily congratulate your Excellency on this joyous Occasion. And, Am, your very Hble Servt.

Elias Boudinot

[*P.S.*] I write in great Haste.

RC (NN: Livingston Papers).

[1] For Washington's official dispatch concerning Cornwallis' surrender at Yorktown, which was brought to Philadelphia by Lt. Col. Tench Tilghman, see *JCC*, 21:1071–72; PCC, item 152, 10:289–92; and Washington, *Writings* (Fitzpatrick), 23:241–44.

Elias Boudinot to Lewis Pintard

My dear Sir, Philadelphia Octr. 24 1781

A Confirmation of the glorious News of Cornwallis's surrender you will recieve by this Day's Paper.[1]

Therefore shall only give you some particulars not mentioned there.[2] On the 6th Instt the Trenches were opened and on the 9t the Batteries. The Enemies Cannon were soon silenced except here &

there a solitary Gun. On the 11t Instt the 2d Paralell was opened and the Enemies fire renewed with severity all Night. On the 14t we were ordered to storm two redoubts that were rather disagreeable to us & prejudicial to the finishing our paralell. That true friend of America the Marquiss La Fayette, with the american light Infantry were ordered to the redoubt on the River to our right. The Baron de Vomenil with a detachmt of the allied Troops to the Redout on the left. The Assaults commenced almost at the same Moment, and were conducted & executed with the true spirit & Judgment of Officers & Men who fought in the Cause of human Nature. Both redoubts were carried in Ten Minutes with very little Loss. This Success was heightened by the true bravery displayed by the Troops of both nations, disarming themselves of resentmt., and giving Quarters to the *abject Brittons* on their Knees begging for Mercy.

This conduct contrasted with English humanity displayed at Groton, must stamp their Character (if possible) with a still deeper dye. Our second Paralell was immediately finished and these redoubts included in our Line. On the 15t some new Batteries were opened, on which the Enemy made a Sally—Abbercromby Commanded. They pushed into the Trenches, between two unfinished Batteries, where the Line was thin and passed to the Guns, which they spiked. But it was no sooner known among the French Troops (in whose quarter it happened) than they were forced by the Bayonet, to return to their Cells with considerable Loss. In less than 6 hours the whole was again repaired, and the same Guns on the 16t served to Chastise them for their temerity. On the 17 in the Morning, several heavy Batteries of Cannon & Morters were opened with a most tremendous roar, and the devoted Town felt the destructive Effects of it. His Lordship now thought it high Time to submit & sue for Peace on any Terms. Both Armies have enjoyed great Health & unanimity. My kind Love to Mrs. P and all Friends. Do send this to Elisha. Am Yours affectly,

B.

RC (PHi: Boudinot Papers).

[1] A brief announcement of "Cornwallis's surrender" was printed in this day's issue of the *Pennsylvania Gazette*, but Washington's official communications did not reach the public until the October 25 issue of the *Pennsylvania Packet* appeared.

[2] Boudinot received these particulars as a member of the committee appointed this day to examine the articles of capitulation and interview the bearer, Lt. Col. Tench Tilghman of Washington's staff.

The committee's report and the long list of honors recommended for participants in the battle reflected the exultation of the delegates. Only the South Carolina delegates—particularly Arthur Middleton—did not rejoice in the terms of the capitulation. According to Boudinot and Tilghman, the South Carolinians wanted the British officers held for retaliation for British "cruelties" during the Carolina campaign. In fact Middleton made an unsuccessful motion in Congress on October 25 that Lord Cornwallis and the other captured officers be detained "till the further order of Congress." See *JCC*, 21:1071–74, 1079–83; Tilghman to George Washington, October 27, 1781, Washington Papers, DLC; and Elias Boudinot, *Journal or Historical Recollections of American Events during the Revolutionary War* (Philadelphia: Frederick Bourquin, 1894), p. 59. See also South Carolina Delegates to Charles Pinckney, January 15, 1782.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir Philadelphia Octr. 25th, 1781.

We have the honor now to transmit to Your Excellency An official Account of the Surrender of Lord Cornwallis and the Army under his Command. The dispatches from General Washington were received yesterday morning, and at two O'Clock in the afternoon Congress went in a body to the Lutheran Church, where Divine Service (Suitable to the Occasion) was performed, by the Reverend Mr. Duffield one of the Chaplains of Congress. The Supreme Executive Council & Assembly of this State, The Minister of France & his Secretary and a great number of the Citizens Attended. In the Evening the City was Illuminated. This great Event we hope will prove a happy presage of a Compleat Reduction of the British forces in these States, and prepare the way for the Establishment of an honorable Peace.[1] We mentioned in our last that Mr. McKean had resigned the Chair. He was by a Unanimous Vote yesterday morning requested to resume it, and Act as President until the first Monday in Novr. next, which he has accepted.[2]

We have the honor to be, with the highest Respect, Your Excellency's Most Obedient & very humble Servants,

Roger Sherman

Richard Law

RC (Ct: Trumbull Papers). Written by Sherman and signed by Sherman and Law.

[1] An account of the victory celebration in Philadelphia appeared in the November 1 issue of the *Pennsylvania Packet*.

[2] *JCC*, 21:1071.

John Hanson to Philip Thomas

Dear Doctr. Philadelphia Octo. 27th 1781

I wrote you by the post last Tuesday[1] and inclosed the papers and a letter to Mrs. Hanson which I hope will be received. I gladly embrace the present Opportunity by Mr. Peter Adams to inclose you the last papers Containing Lord Cornwallis's Capitulation which I dare Say you And every friend to the American Cause will highly approve off. The advantages which must result from the Capture of that Army are more than Can be Conceived. No particular Accts of the Stores &c and number of prisoners is yet Come to hand, when I have it in my power you Shall have a Copy of the return. Colo Tilgman Says that upwards of 100 Vessels, more than one half of them Square rigged are fallen into our hands. Those will be the property of the french as we had no Ships of war acting with theirs. Between two and three hundred light Horse, and about 2500 Infantry have marched from York to reinforce General Green who by the last Accounts is moving down towards Charles Town—the Enemy having Evacuated every other post in South Carolina. You See that Cornwallis's Captive Troops are to be Stationed in Virginia, Maryland & Pensylvania, it is likely Frederick Town will have the greater part of those that Come to Maryland. Would it not be for the advantage and quiet of the Inhabitants to have them Confined? And for that purpose would it not be right to Consult the Governor and Council about haveing the Barracks immediately picketted in? Such a number of prisoners will Increase the demand for provisions. I would not therefore have Any more of my Grain Sold till they Arrive.

What will the Tories and refugees think of their British friends when they find by the Answer to the 10th Article of Capitulation that these of the Garrison are made prisoners of war, and given up by Lord Cornwallis to the Civil Power. Poor Devils how they have been deluded and deserted upon all Occasions.

By Authority deserving of Some Credance, Six of the united Provinces are for Acknowledging our Independence, and that, Zealand the only province Against it will Shortly Concur.

God Bless the little ones and that this may find you all well is my Sincere wish. Yrs. J H

RC (MdHi: Hanson Letters).

[1] See Hanson to Thomas, October 23, 1781.

Elias Boudinot to Elisha Boudinot

My dear Brother, Philadelphia Octr. 30th. 1781.

There has nothing new turned up since my last, advising you of the Capture of Lord Cornwallis. The official Returns have not yet come to hand. I mentioned your Man not calling on me with your Letter, which was the Reason that you had not the Sugars. On examining into those of Mrs. Pollards, I found them, tho' good, not the best.

I therefore recd the cash, and have purchased you a Barrell of the very best, but as I have lost your Memorandum, I cannot remember any thing but Sugar, and do not know the Quantity you require.

Poor Viellor has not got thro' his Trouble, after bringing an Action in this State on the Judgment of the Sp. Bail, Mr. Patterson has given me Notice that he intends to move the Court on Thursday in Term, to vacate the Case—Judgmt & all Proceedings on the Judgmt.

I suspect he has 2 Objections—1 that the Case was issued in Burlington instead of Gloucester. This I am afraid is true, as I was not acquainted with the County & it was mere Form, the Deft. beeing then at Sea.—2d That the Service of the Scr. Fa.[1] was in Philadelphia out of the County. The Fact is so but the Sheriff has returnd the Scr. Feci.[2] and the Fact does not appear. The Bail had a House & Land in the County, but out of kindness, also acquainted Deft in form with it in Philadelphia.

The Answer to all this is, that the Judgment is made up & signed and cannot be reversed but by writ of Error. If this is done the Deft. must give good Security. As it is doubtfull whether I shall be at Court, do prepare for this Business & exert yourself. Perhaps you may prevail on A Ogden to assist you, on engaging him a couple of half Johas when the Monies are recd—which we may pay him ourselves.

I really pity the poor Man, who is starving here, only waiting the issue of this unhappy Affair. He is almost distracted and the Deft. in the Scr. Fa. is sued in this Court here on the Judgment.

My kind Love to Sister & all Friends. Pray call at my House & take my Extracts with you to Court.

Am with great Regard, Yours Afftly, E. Boudinot

RC (PHi: Dreer Autograph Collection). Addressed: "Elisha Boudinot Esqr., Hanover."

[1] That is, scire facias, a writ of execution of a judgement for goods.

[2] That is, scire feci, sheriff's return to a writ of scire facias.

John Hanson to Thomas Sim Lee

Dear sir Philadelphia. Octo 30th. 1781

I am honored with your Excellencys Letter of the 19th and am much obliged to you for the friendly hint you have given me; Should I attend the assembly I hope to be able to give them the information they may require respecting our public affairs; but I am very desirous of haveing Mr Johnson in our assembly and if I am informed that there is a probabillity of his being Elected in Case of a vacancy, I shall immediately resign my Seat.[1] I have wrote to a friend of His and mine in Frederick Town on the Subject,[2] and Should be glad of your thoughts on the Occasion. This to yourself if you please. No particular Account from Gen Washington of the prisoners and Stores taken at York and Gloucester is yet Come to hand. Neither have we had Any Account of the French fleet since they left the Bay, nor of the English Since they left New York. I have been So Engaged this Morning that I have not time to add more than that, I am with the warmest friendship, yr. Excellencys most hble Servt.

John Hanson

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] Thomas Johnson was indeed elected to fill a vacancy in the first session of the 1780–81 Maryland assembly and Hanson resigned his seat in that body, having been chosen president of Congress on November 5 and reelected as a delegate by the state. Johnson, however, chose not to attend the assembly, resigning his seat on December 11, 1781. See *JCC*, 21:1100, 1152; and *Bio. Dict. of Md. Legis.*, 1:405–6, 2:496.

[2] Not found; but see Hanson to Philip Thomas, November 6, 1781.

Samuel Livermore to Meshech Weare

Dear Sir, Philadelphia Octo 30th 1781

I have been confind with the gout but am better so as to get out to Congress.

I have nothing material to write but what is containd in the paper. I shall be under necessity to trouble you with another draft pretty soon, if I can find a purchaser.[1]

My wish is to get home, from this intolerable expensive place, if once Vermont business was done.

I am your friend & most obedt. humble servant.

Samuel Livermore

RC (Nh–Ar: Weare Papers).

[1] See Livermore to Weare, November 27, 1781.

James Madison to Edmund Pendleton

Dear Sir Philada. Ocr. 30th. 1781.

I return you my fervent congratulations on the glorious success of the combined arms at York & Glocester. We have had from the Commander in chief a official report of the fact with a copy of the capitulation, and a general intimation that the no. of prisoners excluding seamen &c. would exceed 5000; but no detail of our gains. If these severe doses of ill fortune do not cool the phrenzy and relax the pride of Britain, it would seem as if Heaven had in reality abandoned her to her folly & her fate. This campaign was grounded on the most intense exertion of her pecuniary resources.

Upwards of 20 Millions were voted by the Parliament. The King acknowledged that it was all he asked, and all that was necessary. A fair trial has then been made of her strength: and what is the result? They have lost another army, another colony, another island, and another fleet of her trade; their possessions in the E. Indies which were so rich a source of their commerce & credit, have been severed from them perhaps for ever: their naval armaments, the bulwarks of their safety & the idols of their vanity have in every contest felt the rising Superiority of their Enemies. In no points have they succeeded except in the predatory conquest of Eustatia of which they have lost the greatest part of every thing except the infamy, and in the relief of Gibralter which was merely a negative advantage. With what hope or with what view can they try the fortune of another campaign? Unless they can draw succour from the compassion or jealousy of other powers of which it does not yet appear that they have any well founded expectation, it seems scarcely possible for them much longer to shut their ears against the voice of peace.

I am sorry to find that the practice of impressing is still kept up with you.[1] It is partial & oppressive with respect to individuals, & I wish it may not eventually prove so with respect to the State. The zeal & liberality of those State[s] which make undue advances may not find an equal disposition to reimbur[se] them in others which have had more caution or less occasion for such exertions.

You are not mistaken in your apprehensions for our Western Interests. An agrarian law is as much coveted by the little members of the Union, as ever it was by the indigent Citizens of Rome. The conditions annexed by Virginia to her territorial cession has furnished a Committee of Congress a handle for taking up questions of right both with respect to the Ceding States, and the great land companies which they have not before ventured to touch. We have made every opposition & remonstrance to the Conduct of the Committee which the forms of proceeding will admit. When a report is made we shall renew our efforts upon more eligible ground, but with little hope of arresting any aggression upon Virginia which depends solely on the inclination of Congress.[2] Since the close of the Confederation however, it has been understood that seven votes are necessary to carry every question. This rule in proportion to the thinness of Congress opposes a difficulty to those who attack. It will therefore I believe be impossible for the Enemys of Virginia to obtain any positive injury to her rights. My greatest anxiety at present is lest the attempts for that purpose may exasperate the Assembly into measures which will furnish new hopes to the British Court to persevere in the war, and new baits for the credulity of the British nation. The good sense of the Assembly will however I flatter myself temper every expressi[on of] their displeasure with a due respect to thi[s con]sideration. It would be peculiarly unhappy if any symptoms of disunion among ourselves should blast the golden prospects which the events of the campaign have opened to us.

We have nothing new from any quarter. The British fleet has not returned to N. York as was here reported & believed. It consists of 25 sail of the line, several 50s and frigates. The no. of Troops is varied by our intelligence from 4 to upwards of 6000.

With sincere regard I am Dr Sir Yrs &c,

J. Madison Junr.

P.S. A report came yesterday from Baltimore, that Rodney with several Ships of the line & 30 or 40 transports laden in part with the residue of Statia plunder has fallen into the hands of the combined fleets. This morning the same report coming from N. York gives some probability to the thing.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 3:296–98.

[1] Madison is responding to issues raised by Pendleton in his letter of October 8, 1781, for which see ibid., pp. 277–79.

[2] See the Virginia Delegates' Protest, October 10, and Virginia Delegates to Nelson, October 9, note 4, and October 16, 1781, note 4. On October 26 the Virginia delegates had moved that the new committee appointed October 2 to reexamine western land cessions and land company titles be limited in its power "to admit counsel, or to hear documents, proofs, or evidence, not among the records, nor on the files of Congress, which have not been specifically referred to them." The motion was defeated, however, five states to three. See *JCC*, 21:1076–78. See also Madison, *Papers* (Hutchinson), 3:294–96. For the committee's November 3 report, see Edmund Randolph to Thomas Nelson, November 7, 1781, note 4.

Massachusetts Delegates to John Avery

Sir Philada. Oct 30. 1781

The Bill of Exchange drawn by Col. Armand, and transmitted to us in yr. Letter of Sept. 5th[1] has been duely honoured, and we therefore acknowledge a Charge in Account against us for one hundred & thirty three Dollars and one third Specie thus received.

We are Sir, with much Regard, yr. Friends,

James Lovell

Geo Partridge

Samuel Osgood.

FC (PHi: Jenkins Autograph Collection). In the hand of James Lovell.

[1] Lovell wrote this copy of the delegates' letter on the verso of Avery's September 5 letter to them.

George Partridge to Samuel Holten

Dear Sir Philadelphia Octr 30th 1781

In my last I mentioned the Act of Congress relative to Vermont, but forgot to inclose the Copy when I seal'd my letter.[1] I trust you will receive with this.

I suppose that by this time you have receivd the particulars of Cornwallis' Reduction so far as they have been come to our hand. We have not receivd any returns of the number of prisoners or Quantity of Stores. Colo. De Hart arrived here last evening from Head Quarters who says that he was informd by the Commissary of Prisoners that there were at least Seven thousand prisoners, besides Marines & Sailors, who surrendered to Genl Washington. This most decisive and important Blow will I trust, convince our enemies of a great truth, which they are so unwilling to believe, that is, that America is not to be conquered.

Colo. Scammel was wounded in reconnoitering the Enemys Lines and dyed before the Enemy Surrendered. Our friend Dr. Scudder was killed by a Random Shot from a party of tories who landed at N. Jersey, to the great Grief of those Who had the pleasure of his Acquaintance.

Next Monday the new political year begins. Your Delegates here have receivd. no Commissions since their last appointment. We have tis true a Letter from the Secretary which I believe will be receivd. as evidence of our appointment.[2] But I think it proper that I should receive a Commission if I stay here till March next, which I am determined to do, unless I should be relieved before that time. Be so kind as to mention this to the Secretary, and believe me to be with every Sentiment of Friendship and Respect your most obedt and very Humbl Servt. Geo Partridge

RC (NNPM: Siege of Yorktown Collection).

[1] Although his "last" letter to Holten has not been found, Partridge probably enclosed a copy of Congress' August 7 resolutions proposing conditional acceptance of Vermont independence. *JCC*, 21:836–39.

[2] Secretary John Avery's June 25 letter to James Lovell was indeed accepted for this purpose upon the presentation of credentials at the convening of the new Congress on November 5th. See *JCC*, 21:1099–1101.

James M. Varnum to Nathanael Greene

Sir, Philadelphia 30th Octr. 1781.

I have received the Letter you did me the honor to write by Capt. Pierce, and added to the Joy arising from the Annunciation of a splendid Victory, obtained thro' the severest Conflict that has marked the present War.[1] I felt a peculiar Pleasure in the Reflection that the Brows of my worthy Friend were encircled with unfading Laurels. Be assured Sir, that it is the universal Opinion here that there never was a warmer Action, or a Victory more arduously obtained. I hope you will be able, before this reaches you, to confine the Enemy to their defensive Positions, & smile at their Attempts to force you upon Expedients. Happy indeed has been the Fate of our worthy Commander in Chief! With an astonishing Rapidity he flew to the Dominion, & perfected Strength in Weakness. Glorious has been the Conduct of our Ally, & important, beyond Description, the Success of the allied Arms.

Parson Rogers lately came from Rhode-Island; he saw your good Lady; She was preparing for a Journey to the Southward, & expected to be in Philadelphia next Monday week; I have not wrote her for two Weeks past, thinking my Letter might not find her; But shall have the Honor of waiting upon her, should she accomplish her Intentions, as I shall not leave this Place before that Time. I assure you, I am very ignorant of Matters in Rhode-Island. Governor Greene writes once in three Months, and then acknowledges the Receipt of a Letter, and some others that he has forgot, and concludes with "your very humble Servt." My only constant Correspondent is Mrs. Greene. The Subjects upon wch. we write will not admit of any unanimating Relations; besides, a Lady of fine Sensibility collects more from the delicate Flights of Imagination than the Jejune Narratives of Country Circles, or a lying Gazette. We have this day chosen Genl. Lincoln Secretary at War.[2] I hope he will execute the Duties of that Department with Propriety. It was the best Choice we could make; Your cursed Popularity to the Southward, prevented your Election, as it is supposed you alone can save the Southern States from Hell. I believe there is some Propriety in the Sentiment. I rejoice at the Confidence, but abominate the Application of it, as endless Fatigue is the Consequence of their Affection. This is a strange World, and Congress is nothing more than a true Epitome [*of*] it. They are like all other unwieldly legislatures; And we are obliged frequently to suppress our Judgement in some things, in Order to obtain others; & those perhaps in a mangled form. If we were all great Men, we should not always think & decide alike; But I confess to you I am of a small Number that are ignorant of the true Interests of the United States; & altho' we are few compared to the whole Numbers that compose Congress, yet thro our Stupidity we give them much trouble; but as for one I cannot act without being convinced, & not being capable of Conviction in many Instances, I shall make all the Satisfaction in my Power, by leaving them soon; thereby lessening the small Number of Fools.

Congress have gone thro' the Tribute of Thanks &c. I hope their Acknowledgments will be satisfactory to you.[3] I tried to obtain a military Grade; but the Name Lieut. Genl. sounded unholy, and I was called a Fool, being combated with this Argument. I was silent, Not that I was Convinced any Conclusion could be drawn from the Truth of that Proposition derogatory to the Motion, But the Argumentum ad Hominum, is general irresistable. It has the same Effect as a loud Laugh when rudely applied; And if Modesty does not blush, Indignation will prevent Utterance; Especially when Laughter is succeeded by a Peel of murmuring Applause.

I have the Honor of being Sir, with perfect Esteem and Respect, your most obedt. & very Humble Servt. J M Varnum.

RC (ViU: McCullough Collection).

[1] That is, Green's victory at Eutaw Springs, S.C., on September 8. See Elias Boudinot to Elisha Boudinot, October 16, 1781, note.

[2] See Thomas McKean to Benjamin Lincoln, October 31, 1781.

[3] See Thomas McKean to Greene, November 2, 1781.

Thomas McKean to the Comte de Grasse

Sir, Philada October 31th. 1781.

The Thanks of the United States in Congress assembled is the highest honor that any of their citizens can receive for the most distinguished services. I feel myself peculiarly happy in being the instrument of conveying these Thanks to your Excellency in Obedience to their Act of the 29th instant, a copy of which I have the honor to inclose herewith.[1] Be pleased therefore to accept, what in the name of the United States of America in Congress assembled I most cheerfully give you. Their Thanks for the display of your skill and bravery in attacking and defeating the British Fleet off the Bay of Chesapeak, and for your zeal and alacrity in rendering with the Fleet under your command the most effectual and distinguished aid & support to the operations of the allied Army in Virginia.

I will only add, Sir, that your name will be ever dear to the good people of these States as long as gratitude is a virtue. Your wisdom, your attachment to the essential interests of this country, your effectual completion of the wishes of your Sovereign, and your whole conduct justly endear you to us, and intitle you to every mark of honor that we can possibly confer upon you. May you long retain the smiles and approbation of your Prince, and of all good men, and enjoy all the happiness this world can afford.

I have the honor to be, with every sentiment of gratitude & respect, Sir, Your Excellency's &c &c &c.

T. M K. President

LB (DNA: PCC, item 16).

[1] *JCC*, 21:1080–81. The enclosed resolution also expressed the thanks of the United States to the comte de Rochambeau "for the cordiality, zeal, judgment and fortitude, with which he seconded and advanced the progress of the allied army against the British garrison in York," which McKean sent to Rochambeau with a similar letter of this date. PCC, item 16, fols. 107–8.

Thomas McKean to Benjamin Lincoln

Sir, Philadelphia, October 31st. 1781.

Inclosed you will receive the copy of an Act of Congress of the 30th instant; by which you will observe that you are honored with a new mark of their confidence.[1]

You will likewise receive the copy of an Act of the 7th February last, respecting the Powers & duty of the Secretary at war. They are, you will readily conceive, great and important. But the reflection is pleasing that the abilities of the person elected are equal to the arduous Task. The copy of an Act of the 1st instant is also inclosed for your information.[2]

Give me leave to congratulate you on this occasion, and to request your speedy determination and answer.

I have the honor to be, with very great respect, sir, Your most obedient & most humble servant, Tho M:Kean President

RC (NjMoHP: Lloyd W. Smith Collection). In a clerical hand and signed by McKean.

[1] That is, by his appointment to the post of secretary at war, for which see *JCC*, 21:1087.

[2] For these February 7 and October 1 resolves, see *JCC*, 19:126–27, 21:1030. By terms of the latter, Lincoln was authorized to retain his rank as major general during his tenure as secretary at war, though not his "pay and other emoluments as an officer."

Thomas McKean to the States

Sir, Circular. Philadelphia October 31st. 1781.

Your Excellency will receive herewith inclosed a Proclamation recommending to the several States that the thirteenth of December next be set apart as a day of Thanksgiving and Prayer.[1]

I have the honor to be, with the greatest respect, sir, Your most obedient & most humble Servant, T. MK. Pt.

LB (DNA: PCC, item 16).

[1] For this October 26 proclamation, which was drafted by John Witherspoon as a member of a committee appointed on September 13 for observing December 13 "as a day of public thanksgiving," see *JCC*, 21:957–58, 1074–76; and PCC, item 24, fols. 463–65.

Thomas McKean to George Washington

Sir, Philadelphia, October 31st. 1781.

It affords me ineffable pleasure to present to your Excellency the *Thanks* of the United States in Congress assembled, for the distinguished services you have rendered to your Country, and particularly for the conquest of Lord Cornwallis and the British Garrisons of York and Gloucester, and the wisdom and prudence manifested in the Capitulation.

You have herewith inclosed a copy of the Act of Congress passed on this occasion upon the 29th instant, which fully expresses the sentiments with which they are impressed by this glorious event.[1]

Words fail me when I attempt to bestow my small tribute of thanks and praise to a Character so eminent for wisdom, courage and patriotism, & one who appears to be no less the Favorite of Heaven than of his Country; I shall only therefore beg you to be assured, that you are held in the most grateful remembrance; and with a peculiar veneration, by all the wise and good in these United States.

That you may long possess this happiness; that you may be enabled speedily to annihilate the British power in America, which you have so effectually broken by this last capital blow; that you may be ever hailed The Deliverer of your Country and enjoy every blessing Heaven can bestow, is the sincere and ardent Prayer of one, who professes himself to be, with every sentiment of regard and all possible attachment, Sir, Your Excellency's Most obedient and devoted humble Servant, Tho M:Kean President

P.S. A proclamation recommending a day of thanksgiving & prayer is enclosed for your information.

RC (DLC: Washington Papers). In a clerical hand and signed by McKean.

[1] See *JCC*, 21:1079–81.

Noble Wimberly Jones to John Jones

Dear Sir,[1] [October ? 1781][2]

I sincerely congratulate you, and through you the Honorable House of Assembly, on the late glorious successes of our Arms vizt. Genl. Greene's victory over the British Army near Eutaw Springs; and the surrender of Lord Cornwallis and his Army to His Excellency Genl. Washington & the Allied Army, and Fleet at York in Virginia. All the particulars that Congress have yet received are inserted in the Gazettes, which I have inclosed to you: further particulars are daily expected, which when received, I will take the earliest opportunity of transmitting to you and the Honorable House. We are likewise in hourly expectation of hearing of something decisive between the Count DeGrasse, and the British Fleet under the Command of Admiral Graves, which when we receive, shall take the earliest opportunity after of transmiting the intelligence to you &c.

Should anything particular happen in Congress as to our state, it will by the Delegation, be immediately communicated to you. I am with due respect Dr. Sir Your Very Hble Servt.

N W Jones

RC (PHi: Society Collection). In a clerical hand, but signed by Jones.

[1] John Jones had been elected speaker of the lower house of the Georgia Assembly on August 17, 1781, for which see Georgia Delegates to the Speaker, July 18, 1781, note 1.

[2] Undated, but undoubtedly written in the closing days of October or early November 1781.

Thomas McKean to Nathanael Greene

Sir Philadelphia, November 2d. 1781.

I had the honor to receive your dispatches of the 1st, 2d, 3d, 5th & 11th Septr. by Captain Pierce and to lay them before Congress on the 18th last, being the day on which they came to hand.[1]

You will receive inclosed herewith the copy of an Act of Congress of the 29th last month respecting the Battle at the Eutaw Springs in South Carolina,[2] and also a Proclamation recommending the thirteenth day of December next to be observed as a Day of Thanksgiving and Prayer throughout the United States.

In obedience to the former I am happy in having another opportunity of testifying the high sense that Congress entertain of the services you have rendered your Country, particularly in the well fought Battle of the eighth day of September last.

I am to present to you, Sir, and do hereby most cheerfully present you the Thanks of the United States of America in Congress assembled for your wise, decisive and magnanimous conduct in the Action of the eighth of September last near the Eutaw Springs in South Carolina, in which with a force inferior in number to that of the Enemy you obtained a most signal victory.

Accept also my congratulations on the conquest of the Garrisons of York & Gloucester under the command of Lieutenant General Earl Cornwallis, who on the 19th of October last surrendered Prisoners of war to his Excellency the Commander in Chief of the Allied Army.

I am, Sir, with very great respect, Your most obedient, humble servant. Tho M:Kean President

RC (NNPM: Siege of Yorktown Collection). In a clerical hand and signed by McKean.

[1] These Greene letters, along with another of September 18 and his correspondence with Lt. Col. Nesbit Balfour concerning the execution of Isaac Hayne, were actually read in Congress on October 16. See *JCC*, 21: 1055–56; and PCC, item 155, 2:255–360.

[2] See *JCC*, 21:1083–85. This commendation for Greene and his army was also accompanied by a similar one for Gen. Francis Marion, which McKean enclosed with a brief cover letter of November 1 to the South Carolina general. PCC, item 16, fol. 112.

Thomas McKean to William Heath

Sir, Philadelphia, November 3d. 1781.

Enclosed herewith I have the honor to send you a Proclamation for a day of Thanksgiving and Prayer throughout the United States. I most heartily congratulate you on the conquest of Lord Cornwallis and the Garrisons of York & Gloucester under his command. The power of Britain in these States is now broken, I trust it will soon be annihilated. Our internal enemies are struck with horror and despair, and I flatter my self this event will appear so important in Europe as to induce the wavering Powers connected with us in the war speedily to acknowledge our Independence, and to incline our Enemies to listen to reasonable terms of peace.

I take this opportunity of acknowledging the receipt of your letters of the 9th, 16th, 24th, 27th and 30th of October, the two last of which came to hand last night.[1] We have no accounts of either of the Fleets since they sailed, nor have we yet received the returns of the Prisoners &c taken with General Cornwallis.

I am, Sir, with very great regard, Your most obedient humble servant. Tho M:Kean President

RC (MHi: Heath Papers). In a clerical hand and signed by McKean.

[1] See *JCC*, 21:1059, 1068, 1092; and PCC, item 157, fols. 337–42, 347–73.

Elias Boudinot to John Stevens

D Sir Philadelphia Novr 5 1781

I have the honor of acknowledging the Receipt of the Certifyed Minute of the Joint Meeting, testifying the Appointment of Delegates for our State in Congress the Ensuing Year.[1] I am much

Embarrassed on this Occasion, I was preparing to return home, having had no Idea of remaining here longer than this day, being the Terms on which I first accepted the Appointment. Indeed had this not been the Case, the exhausted State of my Finances and the derangement of my Family Affairs would oblige me to return. The monstrous Expence attending a residence in this City, must soon take away the Ready Cash of any fortune among us. However as there were only Mr Clark & myself here, and our Presence absolutely necessary to form a Congress in this important Conjuncture, We took our Seats this Day and have proceeded to the Choice of a President, Mr Hanson of Maryland. I shall Continue here this Week, in hopes that your honorable Houses will urge the attendance of one of the other Gentn. by that Time. I shall do myself the honor of calling on you next week, as I have some matters of great Importance I would willingly communicate to the Legislature before my Return Home. Never was there Time which required a full representation of the States more than the present as Matters of the utmost future Consequence to this rising Empire, are & must be the Subjects of constant discussion.

Not being able to command the Acts of Assembly, we cannot determine, if a renewal of the usual Oaths are essentially necessary to our representation. We therefore must beg advice on this Subject, we shall continue our Seats till the Return of the Post, as our return to Jersey for that Purpose at present, would prevent the whole Business of the united States at a season too critical to admit of such a delay, as the Estimates of the ensuing Campaign on hand & must be immediately compleated.[2]

Mr. Clark intended joining me in this Letter but the Opportunity cannot wait my seeing him.

FC (PHi: Boudinot Papers). In the hand of Elias Boudinot. Endorsed by Boudinot: "To Vice-Presid John Stevens Esqr Novr 5 1781."

[1] For these credentials, certifying the election of Boudinot, Abraham Clark, Silas Condict, Jonathan Elmer, and William Churchill Houston to represent New Jersey the ensuing year, and presented at the convening of the new Congress this day, see *JCC*, 21:1099, 1102.

[2] Boudinot's departure at the end of the week nevertheless deprived New Jersey of its vote in Congress until the arrival of William Churchill Houston on November 28. *JCC*, 21:1110, 1142.

Charles Thomson to the States

Secretary's Office
Sir (Circular) Monday Novr 5h 1781.

I have the honor to inform you that this day pursuant to the Articles of Confederation, the United States in Congress Assembled proceeded to the Choice of a President and have Elected for the Ensuing Year his Excellency John Hanson.[1]

I have the honor to be, Sir, Your most obedt humble servt,

C. T

LB (DNA: PCC, item 18). In addition to the executives of the states, this letter was also sent to General Washington and Secretary Robert R. Livingston, and probably to the heads of the other executive departments. Washington Papers, DLC; and PCC, item 119, fol. 11.

[1] *JCC*, 21:1100.

With his journal entry for this date, the day the first new Congress after the ratification of the Articles of Confederation convened, Secretary Charles Thomson initiated a new practice in recording the proceedings of Congress. Hereafter he no longer entered in the journals committee appointments, the receipt of letters, or the fact of adjournment. For the former purpose he opened a new Committee Book, in which he recorded the composition of committees and their purpose, generally adding thereafter information on when reports were submitted or recommitted. For the receipt and disposition of letters, the researcher must hereafter rely upon Thomson's Despatch Books, which he had begun keeping in 1779, or his endorsements on letters located in PCC, which can be found readily in the *Index, The Papers of the Continental Congress* compiled by John P. Butler in 5 volumes (Washington: Government Printing Office, 1978).

The following example illustrates the change dramatically. Although his journal entry for November 6, 1781, states only that "Sundry committees were appointed," Thomson's Committee Book records the following information on the appointment of four committees this day: "Mr Lovell, Mr T. Smith, Mr Bee. On a petition of John Clark respecting claims against the United States. reported 9. Mr Randolph, Mr Boudinot, Mr Carroll. To prepare the form of notice to be given to the legislative or executive authority of the State of Connecticut on the petition from the supr. Ex. Council of Pensyl. respecting a dispute between the two States. reported 7th. Mr Randolph, Mr Lovell, Mr Mathews. Comee. on the proposed convention between France & the United States respecting Consular powers. Reported 20 Nov. 22 Jany. Mr Montgomery, Mr Osgood, Mr Randolph. On a letter from the Super. finance respectg the president household. Reported 16th." PCC, item 186, fol. 3. The Despatch Books are in PCC, item 185.

Elias Boudinot to Hannah Boudinot

My dearest Love, Philadelphia Novr 6 1781

Your kind & Affectionate Letter made me glad to see the Return of Monday Morning.

The New Congress has sat, and as they could not make a House without me, I was obliged to accept the new delegation & take my Seat. This has greatly embarrassed me. I have wrote to get some Person to take my Place,[1] as I am determined to leave this on Monday, and yet if no one comes, Congress must break up, on my leaving this. I know not what to do. My family I must & will see. I write all the News to Susan,[2] so I have none to tell you. I expect Mr P. to Morrow,[3] when I shall rejoice to hear from you. I hope you have sent my Suit out, and some worsted Stockings. I have suffered much

John Hanson

for want of them since the weather grew cold. I have expected them every week by Mr Morton. I enclose the News Papers for your Amusement. Let me hear from you by the Post at Trenton. I am very thankfull that your Health is any ways returning, God grant a Confirmation of it. My Love to all the Family & Friends.

And Am with the greatest & most unalterable Affection, Your loving Husband, Bdt

[*P.S.*] Flannel is 17/6 per Yard.

RC (NjP: Stimpson-Boudinot Papers).

[1] See Boudinot to John Stevens, November 5, 1781.

[2] Not found.

[3] Probably, Lewis Pintard.

John Hanson to Philip Thomas

Dear Doct Philadelphia Nov 6th. 1781

I am favoured With yours by the post. I have Wrote to the speaker of the House of Delegates resigning my Seat in the Legislature Which you Will immediately make public and if Mr. Johnson Will Serve pray use your influence in getting him Elected.[1] The Business of the present session will be important indeed and Will require much Wisdom and Cool deliberation to Conduct it properly. Mr. Johnsons assistance Will be Essentially necessary. Have inclosed you the paper Containing General Washingtons returns of Prisoners &c. My love to the little Ones And Accept the Wishes for your health and happiness of one Who is most Sincerely And affectionately, Yr.

J H

[*P.S.*] No Certain Accounts of either of the fleets.

RC (MdHi: Hanson Letters).

[1] See Hanson to Thomas Sim Lee, October 30, 1781, note 1.

Richard Law to Jonathan Trumbull, Sr.

Sir, Philadelphia Nov 6, 1781

I do myself the Honor to Inclose to your Excellency this Days Paper, in which you'll see a perticular Return of the Prisoners, Ordanance, Stores &c delivered up on the Surrender of Cornwallis & his Army. Mr. Hanson of Maryland is chosen president for the current Year. Congress have but a Thin House as Yet. Mr Sherman set off for home Yesterday,[1] so that the State of Connecticut is unrepresented, hope some Delagates from thence will soon arrive.

As there has nothing new turned up since Mr Sherman left this, I beg Leave to refer your Excellency to him for what was antecedent. A motion was this day made in Congress upon the Petition of Pensilvania to take up the Wioming Controversy & Citation will of Course go out to cite in the State of Connecticut to be heard thereon[2]—have not to add But remain with every Sentiment of Respect & Regard Your Excellency's most Obedt humbl Servt.

Richd Law

RC (Ct: Trumbull Papers).

[1] Roger Sherman had not been re-elected as a Connecticut delegate and therefore could not remain in Congress after November 5. *JCC*, 21:1102.

[2] For the background of the Pennsylvania petition for a hearing on Connecticut claims in the Wyoming Valley, see Pennsylvania Delegates to the Pennsylvania Council, July 26, 1781. The petition was read in Congress on November 3, and a committee report endorsing Pennsylvania's appeal for a hearing was adopted on the 14th. See *JCC*, 21:1092, 1115–16; PCC, item 77, fols. 21–24; and *Pa. Archives*, 1st ser., 9:434. Notices for the appearance of Connecticut and Pennsylvania agents at the hearing, set for "the fourth Monday in June next," "pursuant to the ninth article of the Confederation," were sent the following week, for which see Charles Thomson to Trumbull, November 21, 1781.

For the response to this call by the Connecticut Assembly, which appointed three agents to attend the hearing but simultaneously instructed its delegates in Congress to seek a postponement of the case for the duration of the war, see the *Susquehannah Co. Papers*, 7:95–99.

Samuel Livermore to Meshech Weare

Dear sir, Philadelphia Nov. 6th 1781

You will receive from the Financier a recommendation to our state, to raise its Quota of 8,000,000 dollers, for the service of the insuing year.[1] This Quota, being 373,598 dollers, which you will find by calculation is nearly a one & twentyeth part of the whole 8,000,000, is as I suppose, eighty or ninety thousand dollers more than it ought to be. And this I urged to the Committee that made the Quotas, of which committee I was one, & also to Congress, when it was under debate before them, but without success. I now write this to you, & to the honourable court, that you may judge, as I know you can much better than I, first, whether the state is overcharged in the manner above supposed; but secondly & principally, that the Court being informed of the case, may maturely consider and determine what ought to be done, in respect of complying with the requisition, which would establish in some measure, by acquiescence, their quota for the future. I feel on the one hand the importance of an immediate complyance with the requisition, knowing the bad constructions that both our friends & enemys, respectively, might put upon any thing that looks like an evasion, or removing our shoulder from the burthen; on the other hand, a complyance with a requisition so manifestly out of all proportion may tend to destroy that confidence which the Cityzens of our state at large have and ought to have in the Court. You know, that by the confederation, the states should be Quotaed according to the amount of the value of their land; but an estimate of this value has never been made. The committee therefore took for the basis of their quotas the proportion made by a resolution of Congress the 29th of July 1775 (which please to turn to)[2] founded on the supposed number of inhabitants in the several states, wherein our numbers were unfortunately supposed to be 100,000; & our quota of 3,000,000 dollers was 124,069 1/2 dols.

The respective number of inhabitants tho not inserted in the Journals, I am informed were as follows,

N.H.	100,000	Pensyla.	300,000
Masa.	350,000	Dela.	30,000
Rhd.	60,000	Mara.	250,000
Cont.	200,000	Virga.	400,000
N. York	200,000	N. Cara.	200,000
N. Jersy	130,000	S. Cara.	200,000

the whole 2,420,000

But afterwards a true estimate of our numbers was made, and being represented to congress, by our delegates in 1779, to be abt. 76,000, our quota was established accordingly, as Mr W Langdond & Col Peabody can inform. We were quotaed in Octob 1779, 400,000 to 15,000,000 dollers which is about a seven & thirtyeth part. I do not know how that was calculated. I take our just proportion to be abt a three & thirtyeth part, besides our proportion required to make up the deficiencies of those states that are disabled by the ravages of war. If the court should think it best to make a representation of this matter to Congress, in order to get the quota set right, before they proceed to raise the mony, it will be necessary to prove, as clearly as possible, that our number of inhabitants did not exceed 76,000 in 1775; because it has been asserted here, that we had 100,000 inhabitants, by a Census taken before the revolution. Now the whole of my complaint is, that we are taxed for 100,000, instead of being taxed for 76,000. I presume this will find the Court sitting, so you will soon come to a determination upon the subject.[3] We have nothing from Vermont. Twenty four standards of Ld Cornwallis army brot to congress last Saturday, displayed & paraded through the city, made a most pleasing appearance. Particulars you will have in the paper inclosed. Your most obedient humble servant.

Samuel Livermore

P.S. The resolution of congress says this proportion shall not be drawn into example in future. All the former resolutions have said to the same purpose: nevertheless congress have expressly taken the erroneous pioneer guess-work proportion of 1775 for the basis of this. It is further held forth that if any state is *now* over burthened they shall be recompensed *hereafter*. I fear this word *hereafter* is to be taken in a theological sense.

Yesterday being the day appointed to elect a president Mr. Hanson of Maryland was elected.

RC (Nh–Ar: Weare Papers).

[1] See Morris, *Papers* (Ferguson), 3:142–48, 201–2; and *JCC*, 21:1087–91.

[2] See *JCC*, 2:222.

[3] For the response of the New Hampshire legislature, see Livermore's second letter to Weare of March 12, 1782, note 1.

Edmund Randolph to Thomas Nelson

Dear sir Philadelphia Novr. 7. 1781.

I am happy in acknowledging the receipt of your late friendly letter. I need not particularize the date, as you will readily call to mind, that it is the only one, which you have written to me, since my departure from Virginia.

The capitulation of York will create leisure to our country, to weigh the crisis of her situation. I give her present circumstances the appallation of a crisis, because upon the measures, which she may now adopt, depends her rank in the political world. A passage in your letter has taken up one of the subjects, to which I allude: the delegates are almost worn down with motions respecting your cession of western territory. The disgust and jealousy, conceived against Virginia, leave us the bare consolation of having deserved some degree of success; for in no instance have we obtained the smallest. The history of this business is not lengthy. The report of the committee, to whom the cessions of New York, Virginia and Connecticut, and the memorials of the Vandalia, Illinois, Ouabache and Indiana companies were referred, was recommitted to five other gentlemen.[1] Being informed, that New-York and Connecticut proposed to unfold all their title-papers, we attended the committee, but informed them, that we did not hold ourselves bound by the example of the two other states, nay that we were not free, to submit to the inspection and decision of even congress itself the charters and other territorial documents of Virginia. We grounded our opinion of this limitation of our power, upon the resolutions of congress, which first procured our cession, and which, as they openly and explicitly professed to be intended to stifle all inquiries into territorial rights, were an actual fraud upon Virginia, if her rights of this nature were to be discussed. Nor could we forbear

Edmund Randolph

reprobating this assumption of jurisdiction, as contrary to the confederation, because not delegated by it. These remonstrances being made, we listened to a voluminous detail of the title of New-York. She principally builds her demands on grants from the Six nations, and thereby becomes a competitor for an important portion of the chartered Soil of Virginia. Connecticut, in her turn, was short; resting herself on the Plymouth Charter, and purchases, made thereon and confirmed by Charles the 2d. Virginia then delivered in to the committee written reasons for declining a Similar politeness.[2] Soon afterwards we received notice, that the committee were about to confer with the agents of these land companies. It was our idea, that, as the cessions of the states, and the memorials of the companies had been originally referred in general terms, and the report upon them had been recommitted in terms, equally general, the committee had no power to proceed to hear counsel, receive evidence and go thro' the various forms of a regular forensic argument. Certainly we had propriety on our side. For it appeared on the face of the memorials themselves, that the subscribers to them claimed lands within the limits contended for by Virginia. To say nothing therefore of the resolutions above mentioned, if those lands lay within Virginia, to her and her tribunals alone ought the appeal to be made: if out of Virginia, the confederation does not authorize congress to decide in any manner concerning them. Add to this that it derogates from the dignity of a sovereign state to be drawn into contest with any individual, or body of individuals. These doctrines tho' urged in numberless shapes, could not prevail on congress to arrest the committee in their career.[3] A new report was accordingly made on Saturday last, in which it is recommended to Virginia to make a cession with different reservations and conditions. It still remains undetermined by the house. I shall forward the particulars to you upon the completion of the affair;[4] but in the mean time expect nothing favorable. I foresee, that Virginia will repeal her cession.

I have observed thus much, because I perceive from your letter, that you wished for some information on the subject. But, my dear sir, I trust, I may indulge myself in believing, that the present assembly will not be irritated to pursue any harsh conduct, at any rate until an official account of the whole matter shall be transmitted by us. Until congress shall pass their judgment on this report, it would be premature to enter into any public act respecting it. But let a greater point be consulted. The late capture of the british army opens the avenue to peace. It will be instantaneously shut up, if Great-Britain should have a single glance of a fracture in the American chain. The great ally too, whom we already have, and the two other powers whose fr[iend]ship we solicit, may be shocked at such a procedure. But, let the event of the present report be what it will, I hope, that no legislative act may be done, beyond a protest against the authority, now exercised by congress, and a repeal of our cession.

What I mean by a crisis, is by this time plainly seen. Virginia is thus found not merely destitute of friends, but surrounded by those, who labour to retrench her territory. The enmity to her, tho' produced originally by her extent of soil, easily interweaves itself into other matters in which she is concerned. It is incumbent therefore on those, who are at the helm of government, to render her formidable by a happy management of her resources, and by these means to produce the respect, due to her real importance.

I am justified in saying, that she possesses real importance, when I recollect the quota, assigned to her, out of the eight millions of specie dollars, called for by congress for the ensuing year. The confederation, you know, has fixed the proportions of the states, according to the value of the land granted and surveyed. There has not been sufficient time, since its final ratification, to procure such an estimate. Recourse was therefore necessarily had to capitation. But even here we had no accurate rule of computation as we had not access to any census of inhabitants in the united States. The numbers, as stated by the delegates in 1775, were considered as the basis of calculation.[5] Upon this principle our quota would amount to 1,323,408 dollars. On account of the ravages of war a deduction was made of 1/8. New York received also an abatement of 1/2, North Carolina of 1/6, South-Carolina of 1/2 and Georgia of 2/3. But these deficiencies were afterwards distributed among all the states in proportion to their remaining sums. So that Virginia loses much of the advantage, gained by the remission of 1/8, from the circumstance of being obliged to bear a proportion of these deficiencies; her present quota being about 1,300,000. However, every farthing, which has been, and will be, advanced, before the land is ascertained, will be credited to the States, and whichsoever of them shall overpay its just quota, upon this Scale, will receive interest of 6 percent: per annum. The inclosed paper is the rough draught of a calculation, to determine the proportions, hitherto paid by the different states.

I was extending this letter farther, when I recollected, that the hour of congress is at hand, and that if I wrote any thing more, it should be in transcribing these hasty and blotted pages. But, as the correspondence of friends requires no great nicety, I shall only repeat that I am Dr Sir, yrs. sincerely,

Edm. Randolph.

RC (Vi: Continental Congress Papers).

[1] See Virginia Delegates to Nelson, October 9, 1781, note 4.

[2] See the Virginia Delegates' Protest, October 10, 1781.

[3] For their effort on October 16 "to arrest" the work of the committee, see the Virginia Delegates to Nelson, October 16, 1781, note 4.

[4] The "new report" of the committee on western lands appointed October 2 was read in Congress on November 3. In the main, the committee recommended that Congress accept New York's cession, which was based upon the claims of the Six Nations, and reject that of Virginia, which had been separated from its lands by the King in Council before the war. It found the grants to the Indiana and Vandalia companies to be valid, yet rejected the claims of the Illinois and Wabash companies. It further proposed that Virginia make a new cession free of restrictions and renounce, in effect, "all Claims & pretensions" to lands west of the Alleghenies. Finally, the committee recommended that Congress exercise jurisdiction over the ceded lands, surveying them in township lots to be sold, fulfilling bounty land pledges to soldiers, and preparing to admit new states of up to 16,900 square miles. Seeking an early rejection of the committee's report, the Virginia delegates attempted on November 14 to have December 4 set aside for consideration, but the motion was defeated for lack of a quorum even though five states voted for it. The report lay idle until April 16, 1782, and was not entered on the journals until May 1, by which time the western land issue had become entangled with the Vermont controversy. See PCC, item 30, fols. 1–13; and *JCC*, 21:1098, 1113–14, 22:184, 191–94, 223–32. See also Madison, *Papers* (Hutchinson), 3:304–5. For the transmission of the committee's report and other supporting documents to Governor Nelson, see James Madison to Thomas Jefferson, November 18, 1781, note 1.

[5] In 1775 Virginia's capitation stood at 400,000, for which see the preceding entry. On November 21 Randolph called for a new enumeration from each state "pursuant to the ninth article of the Confederation," but the motion was barely defeated. On December 11 Daniel Carroll failed to carry a resolution that would have allowed each state's contribution to be adjusted according to a new enumeration, whenever it could be made. The following day, however, when Carroll reintroduced Randolph's original motion, Congress passed it with only a minor change in wording, and the states were so notified. See *JCC*, 21:1129–30, 1165; and John Hanson to the States, December 12, 1781, note 2.

Virginia Delegates to Thomas Nelson

Sir Philadelphia Novr. 7, 1781.

For the present week, we have nothing particular to communicate; the state of the discussion of the cession of Virginia not yet being prepared.[1] We shall therefore postpone any farther observations on this head, intending to accompany our next information with an account of the quota of money, assigned to Virginia by a late resolution of congress.[2] We beg leave to acknowledge your excellency's favor of the 20th of October by the last post.[3]

We have the honor to be Sir with great esteem, yr. Excellency's mo. obt. Servts.

James Madison Jr
Edm. Randolph
Jos. Jones

RC (Vi: Continental Congress Papers). Written by Randolph and signed by Randolph and Jones, who also signed for Madison.

[1] The issue had been fully aired in Edmund Randolph's personal letter to Nelson, this date.

[2] See *JCC*, 21:1087–92; and the preceding entry, note 5. The promised "observations" on western lands and a copy of the state quotas were apparently sent to Nelson in the delegates' now missing letter of November 17, for which see James Madison to Thomas Jefferson, November 18, note 1.

[3] See Madison, *Papers* (Hutchinson), 3:292.

John Hanson to Thomas McKean

Sir, Philada. 10th Nov. 1781

It is always a pleasing task to pay a just tribute to distinguished Merit. Under this impression give me leave to assure you, that it is with inexpressible satisfaction that I present you the thanks of the United States in Congress assembled, in testimony of their approbation of your conduct in the Chair and in the execution of public business; a duty I am directed to perform by their Act of the 7th instant, a copy of which I have the honor of enclosing.[1]

When I reflect upon the great abilities, the exemplary patience and unequalled skill and punctuality, which you so eminently displayed in executing the important duties of a President, it must unavoidably be productive of great apprehensions in the one who has the honor of being your Successor. But the Choice of Congress obliges me for a moment to be silent on the subject of my own inability: And altho' I cannot equal the bright example that is recently set me, yet it shall be my unremitting study to imitate it as far as possible; and in doing this the reflection is pleasing that I shall invariably pursue the sacred path of Virtue, which alone ought to preserve me free from censure.

I have the honor to be, with the highest sentiments of respect and esteem, Sir, your most obedient And most humble Servant,

John Hanson Presidt.

RC (PHi: McKean Papers). In a clerical hand and signed by Hanson.

[1] *JCC*, 21:1108. The transition from McKean's to Hanson's presidency was recorded in the following note by Hanson's new private secretary, Samuel Sterett, penned in the presidential letterbook immediately preceding the text of this letter. "November 5th, 1781. This day the United States in Congress Assembled elected His Excellency John Hanson, Esquire, President; the honorable Thomas McKean, late President, having resigned on the 23d of October last, but acted by special request until the present time." PCC, item 16, fol. 117. McKean's November 12 response to Hanson acknowledging gratitude for this expression of congressional approbation is in PCC, item 78, 16:269.

It is also appropriate to note at this first of the John Hanson presidential letters a significant change in the character of the presidential correspondence. The change had actually begun with the professionalization of the boards of war and admiralty and the appointment of full-time commissioners to those offices in 1779 and 1780, but the implications of this shift were not fully realized until the creation of the executive departments in 1781, when principal responsibility for financial, foreign, and military affairs became the concern of the superintendent of finance, the secretary for foreign affairs, and the secretary at war. Reviewed statistically, the volume of presidential correspondence had crested at slightly over 50 letters per month during the presidency of Henry Laurens, remained relatively constant at about 40 letters per month during the terms of his successors John Jay and Samuel Huntington, and dropped off to about 30 letters per month with President Thomas McKean. But Hanson apparently chafed at even this modest level of presidential responsibility, and on January 28, 1782, secured adoption of a congressional resolution transferring to Secretary Charles Thomson primary responsibility for communicating Continental policy, "In order that the President may be relieved from the business with which he is unnecessarily incumbered." *JCC*, 22:55. Accordingly, the flow of presidential letters immediately slowed to a trickle. Hanson wrote about three dozen presidential letters during his first three months as president, but only 18 survive from his last nine months in office, distributed as follows: February—1, March—6, April—0, May—1, June—3, July—2, August—2, September—1, and October—2. The flow of the presidential correspondence was of course always conditioned by external events, but Hanson's personal responsibility for the dramatic change that took place in 1782 seems clear from the fact that his successor Elias Boudinot wrote over 140 presidential letters the following congressional year, and in 1783–84 President Thomas Mifflin wrote at least 60 during the six months of his presidency that Congress was actually in session.

John Hanson to George Washington

Sir, Philadelphia, Nov. 10th. 1781

I have the honor of transmitting to your Excellency a copy of an Act of Congress of the 7th instant, for your information and satisfaction.[1]

Your Excellency's letters of the 27th and 31st ult. have been received and laid before Congress.[2]

As this is the first opportunity I have had of writing to your Excellency since Congress were pleased to elect me to the singular honor of being their President, and as a literary correspondence, from our mutual situations, becomes indispensibly necessary between us, give me leave to assure you, Sir, that it will not only be a pleasure of a superior nature, but invariably my study, to render that correspondence as advantageous and agreeable as possible. Any intelligence worth communicating, which first reaches me, shall be related with unreserved freedom, candor & punctuality—And permit me to hope for a similar treatment from your Excellency. Already my knowledge of your Character leads me to anticipate infinite satisfaction.

I cannot avoid mentioning that the present Aspect of our Public Affairs is particularly pleasing: And so much do we seem extricated from our perplexing difficulties, and such, I hope, is the power and force of recent Experience, that we shall not relapse into our former state of imbecility and distress. The events of the present Campaign will, no doubt, fill the most brilliant pages in the history of America. May Heaven still continue to smile on our efforts!

With the highest sentiments of respect & esteem, believe me to be, Sir, Your Excellency's Most obedient & very humble Servt.

John Hanson Presdt.

RC (DLC: Washington Papers). In a clerical hand and signed by Hanson.

[1] This resolution declared "That an elegant sword be presented" to Lt. Col. David Humphreys, the aide Washington had selected to deliver his official despatches to Congress announcing Cornwallis' surrender at Yorktown. *JCC*, 21:1108. Hanson also enclosed a copy of the resolution with a brief letter of this date to Humphreys expressing "the high opinion [Congress] entertain of your ability and integrity." PCC, item 16, fol. 121.

[2] For these letters, enclosing returns of men and equipment captured by the allies at Yorktown and a request from Gen. Louis Le Bègue Duportail for leave to return to France, see *JCC*, 21:1099; PCC, item 152, 10:309–73; and Washington, *Writings* (Fitzpatrick), 23:294–99, 307–8.

John Hanson to Philip Thomas

Dear Doctr. Philadelphia Nov. 13th 1781

I was greatly disappointed in not receiveing a letter from you by the post. I wrote you by the last post from home and Should have been very glad to have Known you had received it. The load of Business which I have very unwillingly And very imprudently taken on me I am afraid will be more than my Constitution will be Able to bear. And the form and Ceremony necessary to be observed by a President of Congress is to me Extreamly irksome, moreover I find my health declining and the Situation of my family requires my being at home. I Shall therefore take the first opportunity of applying for leave of Absence[1]—this to yourself.

The British fleet is returned to the Hook, and Transports have been Sent down from New York to take off their Troops—it is probable the fleet will return to the West Indias. We have no Certain Accounts of the French fleet having yet left our Bay. I hope this will find you and the Children well who I long to see.

RC (MdHi: Hanson Letters). In Hanson's hand, though not signed.

[1] Although Hanson found the duties of president "irksome" and considered resigning, he was convinced by fellow delegates that Congress would have difficulty selecting a replacement with only seven states represented and therefore chose to continue. See Hanson to Jane Hanson, November 16, 1781; and *Bio. Dict. of Md. Legis.*, 1:405–6. For an account of Hanson's career in Maryland and in Congress, see Ralph B. Levering, "John Hanson, Public Servant," *Maryland Historical Magazine* 71 (Summer 1976): 113–32.

John Hanson to George Washington

Sir, Philadelphia, 13th Nov. 1781.

I take the liberty of transmitting to your Excellency a copy of a letter just received from Genl. Heath, to prevent as much as possible the evil consequences that might result from an interruption or delay in the usual Channel of your intelligence.[1]

I have the honor to be, Sir, with great respect, Your Excellency's Obedient & very humble Servt. John Hanson Prest.

RC (DLC: Washington Papers). In a clerical hand and signed by Hanson.

[1] William Heath's November 8 letter to Washington, reporting his surmise that the British fleet, which had recently returned to New York, would soon sail for the West Indies and that Col. Marinus Willett had recently defeated a party of loyalists and Indians on the New York frontier, is in the Washington Papers, DLC.

Benjamin Hawkins to Henry Knox

Sir Philadelphia Novr. 13th 1781

I have a draught on you, from the board of War for one thousand muskets; for the Use of the State of North Carolina.[1] I shall send it on within the present week, the Uncertainty of this finding you, as soon as I wish, prevents my sending it now.

I beg the favour of you to inform Governor Martin of North Carolina, or Colonel Long Deputy Quartermaster General at Halifax where they may send for the Arms as soon as they have the orders so to do.

Pray do me the honor, to inform me where I shall write to you, excuse the trouble I am Giving you in this, and believe me to be, with the highest sentiments of regard, Sir, your obedient, humble servant. Benjamin Hawkins

RC (MeHi: Fogg Collection).

[1] Apparently a draft for the 1,000 arms originally intended for North Carolina, pursuant to a congressional resolution of April 26, that were diverted on August 31 to the use of the American army then marching south to Yorktown. See William Sharpe to Washington, September 1, 1781, note 1. It is clear from a draft motion in PCC, which Gaillard Hunt inserted in the printed journals for November 20, that Hawkins made a second request for an additional 1,000 muskets taken from the British at Yorktown "which together with the order given for the like number by the board on General Knox" would complete the two thousand arms authorized for North Carolina on April 26. This motion was also referred to the board of war. Newly-appointed Secretary at War Benjamin Lincoln reported favorably on December 3 and Congress directed him to honor the state's request. See *JCC*, 20:450, 21:1126, 1150; and PCC, item 36, 1:235–38, item 149, 1:9–13.

Samuel Livermore to Meshech Weare

Dear Sir, Philadelphia Nov. 13th 1781

I recd. your friendly letter of the 30th ulto. It gave me pleasure and surprize to find how soon you got the good news of the taking Ld. Cornwallis. I suppose my letters, news papers &ca coming to hand long after must have been like a last years Almanack, however they might help you to some particulars.

I am still in the dark about Vermont, and impatient to hear their determination about complying with the resolution of congress. Their allowing you to hold the Supr. Court in the county of Cheshire in Octo. with other circumstances which I recd. in a letter from Newhampshire I thought looked like giving up the east of the river; but I see by the News-paper they are demanding taxes of above fifty of our towns in Cheshire & Grafton. And a flying rumour is here that they have chosen a Governour east of Connecticut river.[1] No one has sent me your new plan of govmt. and I hear nothing about it whether it is received or not.[2] In my last vizt. Nov. 6th I dwelt pretty largely upon the subject of our being over rated in the genl tax for the year '82, which prevented my saying any thing upon the tax in general: For which reason give me leave to make a few observations here. In the first place it was thought necessary to raise the sum of 8 million dollers for the year 1782. Perhaps the large debt we are in, and the interest we must annually pay, might influence the minds of some to raise so heavy a tax. Others perhaps think it best to demand a large sum to gain a small one: and that there is more room for those that choose to be deficient, & to pay nothing, when a redundancy is required. But to come nearer the point, can the united states pay 8 million? This question will be answered by another, viz, can N. Hampshire pay her quota of it, properly adjusted? *Not in hard mony I suppose.* Yet her utmost power has never been tryd, perhaps she can do more than we imagine. I allow her proportion rightly adjusted is 300,000 dollers, that is 5,000 yoke of oxen at 60 dollers a yoke. *We can pay that.* Nay we can make the oxen pay it, & not pay a shilling out ourselves. This would be financiering with a witness. I suppose a yoke of oxen to every three men, which wd. no doubt amount to 5,000 yoke. But you will say it is silver & not oxen that is demanded, true: but the art required is to turn these oxen of N.H., the cloathing, the flour, the forrage, the horses & waggons &ca &ca, of other states into cash, or which is the same thing, to receive them specifically for the publick use. This we trust the great abilitys of our Financier to bring about. Your &c. Sam Livermore

[*P.S.*] Let no one think that I consider oxen as the only sorce of wealth in Newhampshire, far from it. I know we have horses and other stock, corn, wheat, lumber, shipbuilding and other articles. My meaning is to shew that the tax may be drawn from a single source, much more then from the whole of our joint resources, if we have art enough to draw them forth. Perhaps I have over rated or under rated the number of oxen in the state, 'tis done by meer conjecture, still the thought may be improved by those who are better acquainted with the facts. My only view is to shew the possibility, nay the ease of discharging the tax, if my thoughts concur with yours upon the subject, or are of any kind of use, I shall think myself honour'd: and at the worst, I have this consolation that they pay no postage. Yours as before. S L.

RC (Nh–Ar: Weare Papers).

[1] For information on the Vermont-New Hampshire border conflict in the fall of 1781, see *N.H. State Papers*, 10:430–85.

[2] New Hampshire's "new plan of govmt." had been distributed to the towns in September for their approval, but the constitution was again rejected by the state's voters, for which see Jere R. Daniell, *Experiment in Republicanism: New Hampshire Politics and the American Revolution, 1741–1794* (Cambridge: Harvard University Press, 1970), pp. 174–75.

James Madison to Edmund Pendleton

My dear Sir Philada. Novr. 13th. 1781.

I was favored with yours of the 5th[1] yesterday. There are some flattering reports here of a meeting between the fleets which brought another drubbing on the English, but the most probable report is that the British fleet have returned to their station at the Hook, judging it unadvisable to hazard a battle after the object of it is removed.

Nothing definitive has taken place on the territorial cessions. That of Virga. will not I believe be accepted with the Conditions annexed to it. The opinion seems to be that an acceptance of the Cession [by] N. York will give Congress a title which will be maintainable against all the other claimants. In this however they will certainly be deceived, and even if it were otherwise it wd. be their true interest as well as conformable to the plan on which the cessions were recommended, to bury all further contentions by covering the territory with the titles of as many of the claimants as possible. We are very anxious to bring the matter to issue that the State may know what course their honor and security require them to take. The present thinness of Congress makes it but too uncertain when we shall be able to accomplish it.[2]

Will not the Assembly pay some handsome compliments to the Marquis for his judicious & zealous services whilst the protection of the Country was entrusted to him? His having baffled and finally reduced to the defensive so powerful an army as we now know he had to contend with, and with so disproportionate a force, would have done honor to the most veteran officer and, added to his other merits and services, constitute a claim on their gratitude which I hope will not be unattended to.

I am Dr. Sir, Yrs. Sincerely, J. Madison Junr.

[*P.S.*] A series of intercepted letters from Mr. Deane to his correspondents in America have been lately published in New York.[3] The object of all of them, with degrees varying from cautious insinuation to direct advice, is to bring America back to a dependence on Britain modified according to the terms proposed by the Commissioners in 1778. The genuineness of some of these letters is upon good grounds questioned, but most of them contain marks of authenticity which clearly denounce him to be an apostate, and consign his character to the same infamy with that of his friend Arnold. This sentence is delivered here against him with the less hesitation because a prior & indubitable evidence of his degeneracy had been received through another channel. Whether this defection has proceeded, from a mercenary contract with the enemy, from a view of obtaining such an one, or from a chagrin at the obstacl[es] which his Country has by a total prohibition of intercou[rse] with the enemy opposed to the commercial projects he went to Europe to execute is as yet matter of speculation.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 3:301–3.

[1] Not found.

[2] See Edmund Randolph to Thomas Nelson, November 7, 1781, note 4.

[3] Silas Deane had returned to France in July 1780, ostensibly to collect documents required for the settlement of his Continental accounts, which he had had difficulty defending and explaining to Congress, but was apparently unable to improve his case and prospects for obtaining a satisfactory settlement. Undoubtedly worn down by his long struggle with opponents such as Arthur Lee who had charged him with the misuse of public funds, Deane had opened negotiations with the North ministry sometime early in 1781, apparently offering his services to promote reconciliation and the return of one of the colonies to its former allegiance. George III was intrigued at the prospect and indicated willingness to pursue the scheme, assuring Lord North that Deane would be suitably rewarded, but the plan was eventually dropped. Instead of returning to America on such a mission, Deane wrote a series of letters addressed to various American friends and associates urging reunion with Britain, which he sent to London for approval. Although North feared that they would not have the desired effect, because "written with so much zeal for a reconciliation" and having "too much the air of being written in concert with this country," he nevertheless sent the originals to Sir Henry Clinton at New York with instructions for their publication, and they began appearing in the October 24, 1781, issue of James Rivington's *New York Royal Gazette*, described as from "a Rebel Mail lately intercepted in Europe." Eleven letters—to William Duer, Robert Morris, Jeremiah Wadsworth, Samuel H. Parsons, Charles Thomson, Simeon Deane, Thomas Mumford, James Wilson, Benjamin Harrison, Jesse Root, and Benjamin Tallmadge—were eventually

published by December 14, although only the first five or six could have been seen by Madison at this date. The entire collection has been printed in the *Deane Papers* (NYHS Colls.), 4:311–505, passim, with an explanation of Rivington's use of them. The story of Deane's negotiations with the North ministry has been told by Cari Van Doren, *Secret History of the American Revolution* (New York: Viking Press, 1941), pp. 417–18; and Deane's flirtations with treason have been explored in a speculative essay by Julian Boyd, "Silas Deane: Death by a Kindly Teacher of Treason?" *William and Mary Quarterly*, 3d ser., 16 (1959): 165–87, 319–42, 515–50. For his long letter to Robert Morris, which undoubtedly evoked the greatest public interest because of Morris' prominence and long-standing identification as a friend and partner of Deane, see Morris, *Papers* (Ferguson), 1:128–41, 3:130–31, 257–59.

See also Connecticut Delegates to Jonathan Trumbull, January 21, 1782, notes 3 and 5.

Samuel Osgood to John Lowell

Dear Sir. Philadelphia Novr. 13th. 1781[1]

Last Week the Superintendant of Finance sent me a Billet, requesting me to attend a meeting of the Subscribers to the national Bank, for the Purpose of choosing Directors. When met, I found that my Name was set down against your's, Deac[o]n Davis's, Mr. Wendall's, Mr. T. Parson's & Mr. Wetmore's. Altho' I have recd. no Advice, I conclude you intended I should appear in your Behalf. Mr. Morris kindly, & at present I am of Opinion very Judiciously, requested me to become an Adventurer, in Order that I might be qualified to be appointed one of the Directors, there being no Chance otherwise, but to appoint the whole Number of Directors out of the Citizens of Philadelphia. I informed him that I could not Subscribe, not having the Money to Advance; He seemed desirous to remove that Obstacle; He offered to Advance the Money, If I could give him a Draught on Massatts. Where he should have Occasion for the Money. I had but a few Moments to consider of it & subscribed; after which they appointed me one of the Directors.[2] It was not with a View of Gain that I subscribed; but from a Desire to be of some Service to the State; as we are the first commercial State in the Union, If the Plan succeeds, we shall probably be very greatly interested in the Bank. And as the Financier will reside in Philadela. where he must have, in considerable Part, the command of the Taxes, required of the several States, I know of no other Way that we can so easily transmit Money, as in Bank Notes, which are to be receivable in Taxes. It appears to me there are several substantial Reasons, why we should have a Share in the Direction of the Bank; but I need not mention them to you, as they will undoubtedly occur to your Mind. In the Situation I am in, I find myself under a Necessity of giving some Friend in Boston, more trouble than I could wish. I intend giving the Financier a Draught on the Treasurer; & for a very Plain Reason, which is, that I have not drawn upon him, but for Eighty five Specie Dollrs. since I left the State, which is about six Months. But for fear that so large a Draught at once, as four hundred Dollrs. should not be honored; I have to request you, if any Difficulty occurs, to be an Intercessor—& to furnish you with Matter, therefor, shall observe, That if I do not misremember a Resolve of the Court passd sometime last Fall or Winter, limiting the Delegates to Two thousand Dollrs. new Money for their annual Expences; which at one & 7/8 is equal to 1066 2/3 Specie Dollrs.—this is but about half as much as the several Delegates to the southward of this, are allowed for their Expences. However it will support a gentleman in a moderate Way—And I am sensible our State cannot at This Time afford them more. The Governor, by the Way of a Bill upon Mr. Marboy, has furnished me with 133 1/3 Dollrs., which, with the Eighty five, (making 218 1.3) is all I have recd. I have made up the Deficiency out of my own Money, from which I have spent a considerable Sum. If I do not exceed in the Course of the year the Sum allowed by the Resolve of Court, I hope my Draught will not be that extravagant. If the Draught should not be honored by the State, which I can hardly admit, I flatter myself, it will be in your Power, or in the Power of some of your Friends, to take it up; should this be the Case, I will engage to have made a proper transfer of the Stock to such Person when I leave this Place, for I care but little about the probable Benefit of 400 Dollrs. But should be happy to gain some Information, in a direct Chanel, of the Transactions of the Directors; so that I may be able to give some Account thereof, to the Adventurers of our State. The present Directors are appointed for one Year only, and it is proposed, that in the Act of Corporation, there shall be a Rotation of Directors, least undue Influence may keep some Directors in too long against the Interest of the Bank. I must acknowledge I am not very fond of a Rotation, for it seems paradoxical to me, to suppose that in a Case of so much Importance, that the Adventurers in their annual Elections, should conspire against their own Interest. However as all Things are possible I shall not object against it If they are allowed to be eligible for two or three years. I should be happy to have the Corporation such that, if any of our Delegates were Adventurers they might be eligible for two or three Years—as there is no Probability of having any Gentleman from the State residing here, but Delegates. But probably I need not be anxious about this, as many of the Adventurers in Boston & elsewhere within the State may prefer confiding in the mercantile Honor & Wisdom of the Gentlemen of this City rather than any one immediately from our State. I am well pleased with the Gentlemen who are appointed Directors for this year—But as it is proposed that Discount Business be gone into, by the Directors, which will make the Bank more extensive (or at least the Transactions) it will thereby, in Part become a private Bank, & I apprehend will be greatly to the mercantile Benefit of this City. I am also perswaded that there is a pretty good Prospect of general Advantage provided the Directors are Judicious & cautious in their first Arrangements; & that they do not for the Sake of Gain, incumber their Fund too much with Bank Notes; it will undoubtedly require some Length of Time to establish their Credit. They will be in Circulation immediately. The private Subscriptions do not amount to the Sum proposed—yet there is a Fund to that Amount in Specie, & altho Adventurers may yet come in, if the Stock should rise, they cannot come in upon so advantageous Terms as the original Subscribers. This is a Plan of the Financiers which I very much approve of, as it will prevent the Bank from dwindiling away to nothing; & put the Property into immediate use.

I must beg you to excuse this Letter, & I hope it will give you no Trouble. I have not yet given Mr. Morris the Draught—whenever he calls upon me which I suppose will be in a few Days, I shall deliver it to him. I have wrote the Treasurer,[3] but have not mentioned it, as being otherwise than for necessary Expences because my Draughts have hitherto been very triffling. If you agree with me that Mr. Morris acted liberally as well as Judiciously in desiring to have some one among the Directors, from the Eastward, I doubt not but you will approve of my Conduct in this Instance.

I am, Sir, with Sentiments of the greatest Esteem, your most obedient Servant, Samuel Osgood

RC (DLC: Osgood Papers).

[1] For his failure to post this letter until ten weeks later, see Osgood to Lowell, January 23, 1782, note 3.

[2] For the election of directors and discussion of other aspects of the establishment of the Bank of North America, see Morris, *Papers* (Ferguson), 3:121–22; and M. L. Bradbury, "Legal Privilege and the Bank of North America," *PMHB* 96 (April 1972): 139–66.

[3] Not found; but see Osgood to Henry Gardner, January 30, 1782.

James Lovell to Elbridge Gerry

Dear Sir, Novr. 14. 1781.

I have several of your Favors before me unacknowledged or at least unendorsed. Oct 3d, recd. Novr. 3, Oct 5th, recd. the 22d, and Oct 22d recd. Novr. 12th.

We have recd. an Instruction from the Genl. Court respecting the Fishery and shall act upon it more for the Sake of showing the Watchfulness of our Constituents than because we do not think the whole is done which they point out; for the Court do not propose an Ultm. absolute.[1]

We are in a pleasing State as to military Operations at this moment; but nothing short of full Batalions can put a glorious finishing Hand to the War. We have never had an early Spring Campaign. That alone is now to be added.

We hear Nothing certain respecting the sailing of the French Fleet.

A most amiable Gentleman[2] who has been long one of this Family is Bearer of my Scrawl. I entreat if you should be at Boston, or he at Marblehead that you would discover that you know he is much regarded by me and the *whole* of us here. Sensible and industrious, so grave & gay together, he is sure to gain the Affection of all where can be intimate. He is of the Line of the Treasurer General of the french army.

He must wish to see you from the Respect which he has so continually found annexed to the mention of your Name in this Circle.

Yr. obliged Friend and humb. Servt. James Lovell

RC (MHi: Miscellaneous Bound Manuscripts).

[1] Undoubtedly a reference to a resolution of the Massachusetts General Court of October 27–29 calling on their delegates to secure the "Rights of Fishery . . . in a future settlement of peace," which they presented to Congress on November 17. See Journal of the Massachusetts Senate, October 27, and Journal of the Massachusetts House, October 29, 1781. DLC(ESR). The disposition of this issue is difficult to follow because of Secretary Thomson's practice of recording foreign affairs issues only in his secret journals, but it seems clear that the committee to which it was referred, chaired by Lovell, submitted a report on December 3 that was debated and recommitted on the 12th, resubmitted on January 7 and adopted on the 22d, instructing the American ministers plenipotentiary "to contend for an explicit acknowledgment of" U.S. rights to the North American fisheries. See *JCC*, 21:1166, 22:44–45; and PCC, item 186, fol. 4.

[2] Not identified.

Charles Thomson to Robert Morris

Novr 14. 1781

Mr Aitkin agrees to take certificates from Mr Morris payable with interest at such time as he & Mr Morris can agree for the eight hundred and thirty four dollars. He also agrees to get the 584 Volumns bound in boards which he thinks he can have done at one shilling per volume but is to be paid for the binding from time to time as fast as the work is done.

If Mr. Morris & Mr. Aitkin can settle the terms of payment I agree to take the books for Congress, if not the bargain to be void.[1]

Chas Thomson

FC (DNA: PCC, item 137). In the hand of Charles Thomson.

[1] Thomson had been authorized to negotiate with Philadelphia printer Robert Aitken "for the purchase of two hundred copies of the first and second volumes of the Journals of Congress [*i.e.*, for 1774–1776]," which Aitken had published in 1777. See *JCC*, 20:549; PCC, item 137, 1:231; and Evans, *Am. Bibliography*, nos. 15,683–84. For the agreement Morris reached with Aitken for payment for these volumes, see Morris, *Papers* (Ferguson), 3:188, 191. David C. Claypoole had been the official printer to Congress since April 1779. *JCC*, 13:434.

John Hanson to Certain States

Sir. Philadelphia, Nov. 15th. 1781.

Congress feel themselves reduced to the disagreeable necessity of directing me to write to your Excellency respecting the deficiency of a Representation from your State.[1] For a considerable time past only seven States have been represented, and those merely by the essential number of Delegates. From this information you will readily conceive, without a minute and painful detail, the numerous inconveniencies and real dangers they are subjected to, abstracted from every consideration of interest, honor and reputation. The most important powers vested in Congress by the Confederation lie dormant at this time by reason of the impunctuality of the Delegates of six States in point of attendance, and some of those powers too indispensibly necessary to be exercised at this great and important Crisis.

Permit me, Sir, to flatter myself that it is superfluous to urge any thing more upon this delicate but momentous subject, and to hope that your Excellency's influence will be exerted to prevail upon your State to send forward and keep up a full Representation in future.

I have the honor to be &c. J. H. Presidt.

LB (DNA: PCC, item 16). Addressed to the executives of the states of New Hampshire, Connecticut, New York, New Jersey, Delaware, and North Carolina.

[1] *JCC*, 21:1113. The delegates' frustration over poor attendance was illustrated a few days later when Edmund Randolph's innocuous motion for a census failed, although supported by 21 delegates against 2, when two delegations divided and five states were unrepresented. *JCC*, 21:1129–30.

John Hanson to Jane Hanson

Philadelphia Novr. 16th. 1781

My last was of the 13th by the post,[1] acquainting you for the reasons I mentioned, of my intentions of resigning my Seat as president of Congress, and accordingly on Wednesday last I desired leave of absence; but some of the members Expressing their dissatisfaction at my so-soon laying Congress under the difficulty of Electing Another, (for a Difficulty there would be as the votes of Seven States are necessary and only Seven States are at present represented) I Shall Continue, unless the assembly of our State Should leave me out of their Delegation.[2] I therefore hope you will immediately prepare to Come up, if your State of health will permit it. I have got a very good match for my Horse, And Shall Send them down about the 25th of this month. I flatter my self the Doct[3] will be Kind Enough to let you have his Carriage And attend you up, if his health and Business will permit him. You will have very little trouble in Houskeeping, a Steward, a House Keeper, And necessary Servants Are found as are also a Coach and Horses—must beg you will loose no time in getting ready to set off by the first week in next month unless you Should hear of my being left out of the Delegation. Shall be obliged to the Doct. for as much money if you have it not, as will bear the Expences up, ten or £15 will be Sufficient. Pray let me hear from you as soon as possible. God bless you All.

[*P.S.*] Shew this to the Doct. I write in a very great haste. My Compliments to Mrs. Young whose Kindness I Shall never forget And also to Mrs. Price.

RC (MdHi: Hanson Letters). In Hanson's hand, though not signed.

[1] Not found.

[2] See Hanson to Philip Thomas, November 13, 1781, note.

[3] That is, Hanson's son-in-law, Dr. Philip Thomas.

John Hanson to Philip Thomas

Dear Doct. Philadelphia November 16th 1781

My last was of the 13th. No intelligence here worth Communicating—refer you to your Mothers Letter. Have inclosed you the last paper. My love to the Dear little Children whom I long to See. Will Send Nelsons hat by the first Opportunity. Hope to See you here—are any of the prisoners Arrived at Frederick? It is reported to day that Arnold is taken. I dont believe it. One Moody A Spy was taken up here last Thursday Week, was tryed by a Court Marshall on Saturday. And was hang'd a Tuesday, another was also taken up at the same time, And Condemned, but his Execution is respited till the 23d in hopes of getting Something out of him. They Were to have Robed the Secretary's of Congress Office of the Box of Secret papers, they were Sent on this Business by Arnold, and was to have had 1000 Guineas. Eddison who formaly lived with Colo. J. Johnson was also imployed by Arnold and discoverd the plot. He engaged in the Business he says for that purpose And Circumstances induce a belief that it was the Case. He stands fair—and it is not improbable that Somthing will be done for him as reward.[1]

RC (MdHi: Hanson Letters). In Hanson's hand, though not signed.

[1] For this enemy plot "to bring off the most important books and papers of Congress," rumored to have been concocted by Benedict Arnold, but apparently the brainchild of Capt. George Beckwith, aide-de-camp to Gen. Wilhelm Knyphausen, see *Lieut. James Moody's Narrative of His Exertions and Sufferings in the Cause of Government, Since the Year 1776* (1783; reprint ed., New York: Arno Press, 1968), pp. 43–52; *JCC*, 21:1109, 1160; PCC, item 78, 8:375; Madison, *Papers* (Hutchinson), 3:321–22; and Morris, *Papers* (Ferguson), 3:316–17. Thomas Edison, formerly a clerk in Secretary Charles Thomson's office, had allowed himself to be drawn into the scheme by Beckwith but betrayed his confederates at a critical moment. As a result, two of the loyalist plotters, Laurence Maar and John Moody, were captured and executed, although a third, Moody's brother James, escaped and lived to tell the tale. In his "Narrative," Edison is identified as "one Addison."

John Hanson to Louis Le Bégue Duportail

Sir, Philadelphia, 17th. Nov. 1781

I have the honor of enclosing you a copy of an Act of Congress of the 16th instant, by which you will observe that you are promoted to the rank of a Major General in the Armies of the United States.[1]

This Act is so very explicit on the subject of your distinguished Merit, as to foreclose the Sentiments my feelings would prompt me to express. I will therefore only beg leave to congratulate you on the occasion, and to assure you that you have my best wishes for future prosperity and felicity.

I have the honor to be &c. &c. J.H.[2]

LB (DNA: PCC, item 16).

[1] This resolution promoting General Duportail, commander of the Continental Army's corps of engineers, was adopted after the delegates rejected a motion prohibiting promotions "on account of extraordinary merit or eminent services, contrary to the rule of succession" adopted by Congress on May 25, 1781. See *JCC*, 20:539–41, 21:1119–21.

[2] Hanson also wrote brief letters this day to Jean Baptiste Gouvion and the chevalier de Rochefontaine of the corps of engineers, enclosing resolutions announcing their promotions by brevet to the ranks of colonel and major, respectively. See PCC, item 16, fols. 123–24; and *JCC*, 21:1121.

Benjamin Hawkins to Abner Nash

Dear Sir, Philadelphia, the 17th Novr. 1781

I enclose you the memorial presented by Mr. Adams to their High Mightinesses—the effect it has had, or the reasons for publishing it, we know not.[1]

I expect Britain is by this seriously inclined to make peace, and from her situation will be compelled to make an equitable and honorable one for us, her efforts have been greater this year than ever before, twenty one millions and one third were raised for the service of the present year, Notwithstand which her navy, (the grand bulwark of the Nation,) hath been disgraced in every quarter, and her armies in america and the two Indies shareing the same fate—particularly the boasted conquering one in the former in a most eminent degree. The troops at New York are much dispirited, and it is believed that if the United States would offer a general pardon to the refugees, a large majority would return from the enemy, some of the officers have expressed as much to our officers who have lately left there. New Jersey has this matter under contemplation, and I believe some other States.

Congress have been lately much embarrassed, but they are emergeing very fast, all their departments move now methodically, They have appointed a Superintendant of Finance (Robert Morris) secretary of foreign affairs (Robt. R. Livingston) and Secretary of War Majr. Genl. Lincoln. The abilities of these gentlemen being equal to the importance of their respective offices is productive of the happyest consequences for the United States.

The French prove extreme friendly to us, exclusive of the assistance rendered by their fleet, (the importance of which ought to be remembered by the Southern States and greatfully acknowledged) a great part of the promised subsidy or loan, is already arrived in specie, military stors and Cloathing, so that we have a sufficiency of the latter for our army the ensuing year.

The original cover of the enclosed letters from Mr. Whiting, being in my possession broke and damaged, I took the liberty of taking it off.

You will please to make my compliments to Your Lady, Mr. & Mrs. Ellis and believe me to be with sentiments of the highest reguard, Dear Sir, Your humble servt. Benjamin Hawkins

[*P.S.*] No 1 & 2 of the continuation of the Abbe Raynals Revolution of america, and the remainder of that work I will send you with my next.[2]

I wish you, and some gentleman of abilities equal with yours, would consent to come on and represent our state, you would be happy here, as for myself, I am not, being thoroughly convinced, of my want of abilities equal to the trust reposed in me, and I shall return as soon as I can obtain from Congress some Supplies for our state which I am soliciting. B.H.

RC (NcU: Whitaker Collection).

[1] For the publication of John Adams' memorial to the States General of the United Provinces, see James Madison to Edmund Pendleton, October 9, 1781, note 2.

[2] It is not known when Hawkins sent his "next" letter to Nash, but he did not mention the Abbé Raynal's *Révolution de l'Amérique*, which was then circulating in Philadelphia, in either of his letters of December 5, 1781, or January 9, 1782. For the publication of that work, however, see Morris, *Papers* (Ferguson), 3:257–58.

William Ellery to William Greene

Sir, Philadelphia Novr. 18th. 1781.

This short letter will inform your excellency of my safe arrival here on Friday last. Genl. Varnum & Mr. Mowrey will make you and the Genl. Assembly acquainted with the news and present State of politicks, therefore permit me, Sir, to refer you to them.[1]

The naked condition of our Treasury when I left the State, would have render'd any application for money fruitless, I therefore came off with the small sum which could be spared from my family, without asking a grant from the General Assembly. That small sum will soon be expended, and unless I am furnished with money from the State I shall be in a miserable situation indeed. Give me leave through your Excellency to intreat the Genl. Assembly to order the Genl. Treasr. to transmit to me as soon as possible two or three hundred dollars; and I could wish that at the same time the Genl. Assembly would empower me to draw on the Genl. Treasurer for a Sum not exceeding, including the Sum which I have already defered may be immediately forwarded to me, eight hundred dollars. I have mentioned a certain sum because I would not chuse, if I thought the Assembly would grant it, and power to draw without limitation. I propose if this liberty should be granted to draw from time to time for small sums as I may want them, and I can find persons who will furnish me with money here to be paid by bills upon the Genl. Treasurer. This mode of supply would save both time & risque, for there is some danger in sending money and opportunities may not offer when the money may be ready and much wanted. Before I shall receive an answer to this letter, and be furnished with the power asked for, some considerable time will have run out, and I am sure my present cash will be exhausted, therefore permit me Sir to urge that the Sum asked for may be forwarded immediately—if that Sum cannot be furnished direct One hundred and fifty dollars to be transmitted as soon as possible.

I am with the highest sentiments of respect, Your Excellency's most obedt. Servant, William Ellery

RC (R-Ar: Letters to Governors).

[1] Ellery and Ezekiel Cornell, who left his position on the Board of War, took their seats in Congress on Monday November 19, replacing Daniel Mowry and James M. Varnum as Rhode Island's delegates. See *JCC*, 21:1123.

James Madison to Thomas Jefferson

Dear Sir Philada. Novr. 18th 1781

By the conveyance through which you will receive this the Delegates have communicated to the State the proceedings in Congress to which the territorial cessions have given birth.[1] The complexion of them will I suppose be somewhat unexpected, & produce no small irritation. They clearly speak the hostile machinations of some of the States against our territorial claims, & afford suspicions that the predominant temper of Congress may coincide with them. It is proper to recollect however that the report of the Committee having not yet been taken into consideration,[2] no certain inference can be drawn as to its issue, and that the report itself is not founded on the obnoxious doctrine of an inherent right in the U. States to the territory in question, but on the expediency of cloathing them with the title of New York which is supposed to be maintainable against all others. It is proper also to be considered that the proceedings of the Committee which we laboured in vain to arrest, were vindicated not by the pretext of a jurisdiction belonging to Congress in such cases, but alledged to have been made necessary by the conditions annexed to the Cession of Virginia. Although the Cession of Virginia will probably be rejected on the whole, I do not think it probable that all the principles & positions contained in the report of the Committee will be ratified. The Committee was composed of a Member from Maryland, Pennsylvania, N. Jersey, Rhode-Island & N. Hampshire all of which States except the last are systematically & notoriously adverse to the claims of the Western territory & particularly those of Virginia. The opinion of the Committee is therefore no just index of the opinion of Congress, and as it is a rule observed since the Confederation was completed, that seven votes are requisite in every question, & there are seldom more than 7, 8, 9, or 10 States present, even the opinion of a Majority of Congress is a very different thing from a Constitutional vote. I mention these particulars that you may be the better able to counteract any intemperate measures that may be urged in the legislature. I do not hesitate to declare my opinion that the State will not only find in the communications we have made to them ample justification for revoking or at least suspending their Act of Cession, and remonstrating against any interference with respect to cases within their jurisdiction, but that they ought in all their provisions for their future security, importance & interest to presume that the present Union will but little survive the present war. I am equally sensible nevertheless of the necessity of great temper & moderation with respect to the first point, and in the last that they ought to be as fully impressed with the necessity of the Union during the war as of its probable dissolution after it. If the State wishes any particular Steps to be pursued by the Delegates, it would be well for particular instructions to that effect to be given. These will not only be a guide to us, but will give greater weight to whatever is urged by us.

I inclose you a paper containing two of the many letters lately published in New York with the subscription of Mr. Deane's name. The genuiness of some of them & particularly that to Mr. Morris is generally doubted. There are some who think the whole of them spurious.[3] However this may be there is through another channel indubitable proof that no injustice is done in ascribing to him the sentiments advanced in these letters. Either from pique, interested projects of trade, or a traitorous correspondence with the Enemy, he has certainly apostatized from his first principles.

Col. Willet has lately defeated & dispersed a party from Canada amounting 6 or 700 few of whom will escape captivity, the sword, or famine in the Wilderness. The action commenced near Johnstown.

The Minister of France has dispatches from [Europe?] by a late arrival which confirm the expedition from Cadiz against Minorca, and the actual landing of the troops on the Island.

With great respect & sincere regard I am Dr Sir Yr Obt & humble Servt. J Madison Junr.

RC (DLC: Madison, Papers). Madison, *Papers* (Hutchinson), 3:307–8.

[1] Capt. Nathaniel Irish was "the conveyance" by which the delegates had also sent a letter of November 17 to Gov. Thomas Nelson enclosing copies of congressional proceedings and other documents on western lands, for which see Virginia Delegates to Nelson, November 20, 1781. Benjamin Harrison, Nelson's successor, did not receive the letter, which is now missing, until January 5, 1782, too late to present the documents to the assembly before adjournment that day. Consequently, the Virginia legislature did not reconsider its cession of western land until its next meeting in May 1782. See Madison, *Papers* (Hutchinson), 3:305, 309n.1, 4:24.

[2] For Congress' failure to consider the November 3 report of the committee on western land cessions until the following spring, see Edmund Randolph to Thomas Nelson, November 7, 1781, note 4.

[3] See Madison to Edmund Pendleton, November 13, 1781, note 3.

Oliver Wolcott to Laura Wolcott

My Dear Philadelpha. 19th Nov 1781

I arrived here safely last Wednesday and am well.[1] I lodge at Mr. Marshall, where I before did, and trust that my Situation will be as agreable to me as it can be, Absent from my Family. I was glad to be informed by Mr. Burral who left Hartford about a Week ago, that Oliver was well, let me hear from you All as often as you have Oppertunity.

I inclose to you an Account of the Thing, which I have purchased for you. I have let Elisha have five pounds twelve shillings. I send you by him some of the late Papers. The Letters published under the Signature of Mr. Dean are I perceive supposed to be genuine, but that the Composition has been improved by *our* Enemy, but by *his* Friends in Case the Letters are his, Mr. Morrice's Character does not suffer in the least by having Mr. Dean's Letters directed to him.[2] It is reported that the French Fleet have lately left the Cheasapeake where they have been taking in Flour, and that they are probably gone to the West Indies. Genl. Washington with the northern Troops will probably be here before long. The French Troops may continue in Virginia. No news from South Carolina and Georgia since Genl. Green's Letter which you have seen.

Take Care of your Health—and commending you and the Family to the divine Protection, I Am your's, with the tenderest affection,

Oliver Wolcott

RC (CtHi: Oliver Wolcott, Sr., Papers). Addressed: "Mrs. Laura Wolcott—Litchfield."

[1] Wolcott had resumed his seat in Congress on Friday, November 16. *JCC*, 21:1117.

[2] For "the Letter published under the signature of Mr. Dean," see James Madison to Edmund Pendleton, November 13. For Silas Deane's June 10 letter to Robert Morris, which was published in the *New York Royal Gazette*, October 27, 1781, see Morris, *Papers* (Ferguson), 2:128–41.

Ezekiel Cornell to William Greene

Sir Philadelphia Novr. 20th. 1781

I do my self the honor to inform yr Excellency I took my seat in Congress Yesterday. I take the liberty to inclose to you the Resolution I mentioned in my letter of the 17th Instant[1]—nothing new hath transpired since that day.

I have the honor to be, your Excellency most obedt Huml Servant,

Ezek Cornell

RC (R-Ar: Letters to Governors).

[1] Not found.

Virginia Delegates to Thomas Nelson

Sr. Phila. 20th. Novr. 1781

Our Letter of the 17th. by Capt. Irish contains those communications, which would otherwise have been the subject of this weeks correspondence.[1]

We have now to acknowledge the receipt of Mr. Andrews's Letter of the 9th. conveying to us the disagreeable information of your Excellencies indisposition from which however he gives us reason to hope you will be soon recovered and able to repair to Richmond. The requests contained in his Letter respecting the Guard and provisions furnished by the State for the security and support of the British prisoners at Winchester shall be attended to and answered as soon as it is in our power.[2] We are informed the British fleet have all returned to the Hook, the Troops landed on Staten Island and that sixteen of the Ships of War are to repair to the W. Indies the others to continue at N. York.

We are respectfully Sr. yr. most obed servts.

Js Madison Jun.
Edm. Randolph
Jos. Jones

Reprinted from Madison, *Papers* (Hutchinson), 3:312.

[1] See James Madison to Thomas Jefferson, November 18, 1781, note 1.

[2] For the missing November 9 letter written by the Rev. Robert Andrews, Governor Nelson's secretary, and Nelson's probable request that Congress assume full responsibility for the prisoners captured at Yorktown, see Madison, *Papers* (Hutchinson), 3:312n.2. See also ibid., pp. 319–20.

John Hanson to Jonathan Trumbull, Sr.

Sir, Philadelphia 21st Nov. 1781.

Inclosed herewith your Excellency will receive a copy of an Act of Congress of the 20th instant, respecting a conditional admission of the two independent Companies, raised by Captains Durkee and Ransom, to be a part of the Quota of troops of your State; And recommending the settlement of the depreciation of their pay upon the same principles adopted for your Line.[1]

With sentiments of respect & esteem, I have the honor to be &c.

J. H. Presidt.

LB (DNA: PCC, item 16).

[1] This resolution was adopted upon the recommendation of the Board of War, in response to a petition from Lt. Thomas Jenkins of one of the independent companies raised at Connecticut's Wyoming outpost. See *JCC*, 21:1124–25; and PCC, item 148, 2:457–60.

Charles Thomson to Robert Morris

Sir Secy's Office Novr. 21st, 1781.

I have the honor to return the draft of a letter to his Excellency Don Galvez reported by you in pursuance of the order of the 7th Inst. and to inform you it is the Pleasure of Congress that you sign and transmit it to his Excellency by the first Opportunity.[1]

As the letter is to go from your Office it may be proper that the papers on which the letter is grounded should be lodged there. I have therefore returned them with your drafts, and am, Sir, Your Obedt humble servt,

C T

LB (DNA: PCC, item 18).

[1] Congress had directed Morris on November 7 to report the draft of a letter to Don Bernardo de Gálvez concerning advances made by Governor Gálvez at New Orleans "to Oliver Pollock, for the service of the United States." *JCC*, 21:1107. For Morris' report to Congress of this date, and letter to Gálvez of November 23, see Morris, *Papers* (Ferguson), 3:221–22, 240–41.

Charles Thomson to Jonathan Trumbull, Sr.

Sir Secy's Office 21st Novr. 1781.

The President and Supreme Executive Council of Pensylvania having presented a Petition to the United States in Congress Assembled stating that a controversy has long subsisted, between the said State of Pensylvania and the State of Connecticut respecting sundry lands lying within the northern boundary of the State of Pensylvania, and praying for a hearing in Pursuance of the 9th article of the confederation.

Congress have been pleased to assign the fourth Monday in June next for the Appearance of the said States by their lawful Agents at the place in which Congress shall then be sitting, and have directed me to give Notice thereof, in the form Enclosed.[1]

I have only to request, that your Excellency will be pleased to Acknowledge the receipt of the Notice and am with respect &c &c,

C T

LB (DNA: PCC, item 18).

[1] For the Pennsylvania Councils' petition requesting a hearing respecting Connecticut's claims in the Wyoming Valley, see Richard Law to Trumbull, November 6, 1781, note 2. Thomson also sent a copy of this "notice" to Pennsylvania Council president William Moore this date. See *JCC*, 21:1115–16; PCC, item 18, fol. 16; and *Pa. Archives*, 1st ser., 9:448.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir Philadelphia Nov 23d. 1781.

We are honored with your Favour of the 8th instant per Brown; Mr Wolcott arrived here the 14th. There are now nine States represented in Congress. In the Arrangment of the Treasury Department it is provided that the Financier recommend the Number of Auditors requisite—which he has not yet done, but as soon as he makes Report on that head—they will be appointed—and doubt not it will be thought necessary they repair to the respective States to liquidate their Accts.

The Requisition for Supplies, is forwarded by The Financier with his Letter thereon.[1]

Tho' our Succesies have been truly glorious & important, the present Year, Yet it is of the utmost Consequence that we suffer them not to Slacken our Exertions, in making preparations for the insuing Campaign—as that alone will put us on a respectable footing either for Negotiation or War. Congress have a Comtee now out upon the Subject of what number of Troops is necessary, & apportioning the Quota of each State.[2] The French Fleet it is sayd left the Bay about the 6th instant destined it is conjecturd for the west Indies, and the Troops belonging to the eastern States, are on their Rout back to the North River. Whatever is Official is or will be Duly transmitted to your Excellency, from the respective Offices—have not to add but remain with the highest Sentiments of Esteem & Respect Your Excellencys most Obedt., humble Servts.

Rich Law

Oliver Wolcott

RC (Ct: Trumbull Papers). Written by Richard Law, and signed by Law and Wolcott.

[1] Robert Morris' November 17 circular letter to the states is in Morris, *Papers* (Ferguson), 3:201–2.

[2] For the work of this committee, which submitted its report on 1782 troop quotas on December 10, see Committee of Congress to Washington, November 28, 1781.

Congress to the King of France

[November 23? 1781][1]

The United States in Congress Assembled to their Great, faithful & beloved freind & Ally Lewis the 16th. King of France & Navarre

On the close of a successful campaign we cannot but wish to offer our congratulations to a monarch whose wise counsels & generous support has so greatly contributed to the fortunate events it has produced—fully assured the advantage may be more immediately ours that your majesty will feel yourself equally affected by it while you continue to possess that benevolent attachment to us which has hitherto interested you in our affairs.

The distress which the common enemy have experienced from these combined operations will we presume point out to both nations the utility of similar measures in future, and while on the one hand it prompts your majesty to supply that naval force which the situation of our country renders necessary to offensive operations, it urges on the other the united States to every exertion which their particular interests & their desire of seconding your majestys views can call forth.

It is with peculiar pleasure that the united States continue to number some of your majesty's subjects among their most able, spirited & faithful servants.

It affords to the world a striking proof of the intimate connection between the Allied nations & at the same time serves to cement the union which it manifests.

The Marquis De Lafayette has in this campain so greatly added to the reputation he had before on various occasions acquired & contributed so much with inferior forces to preserve one of the most important States in the union, as well as to the brilliant success at York & Gloucester, that we can not but wish to procure for him your majesty's favourable attention—And in That view have directed that he should have the honor to present this Letter of congratulations to your majesty.

We pray God Great, faithful & beloved freind & Ally, to keep you in his holy protection. Done at Philadelphia the 22n.[2] day of Novr in the year of our Lord 1781 & in the fifth[3] year of our independence.

By the United States (your Majestys faithful freinds & allies) in Congress assembled.

FC (Rokeby Papers, Aldrich Family, Barrytown, N.Y., 1974, NHPRC microfilm). In the hand of Robert R. Livingston and endorsed by him: "Dr Letter to the King of France from presd. Congress. Repd. 25th Novr 1781." FC (DNA: PCC, item 79). In a clerical hand and endorsed by Livingston: "Dft of a Letter to His Most Chn. Majesty. Humbly submitted to Congress by the Secretary for Foreign affairs agreeable to their order. R R Livingston." Endorsed by Charles Thomson: "Novr 26 Mr Middleton, Mr

Carroll, Mr Ellery." There is no mention of this subject on the journals for November 26, 1781.

[1] Secretary Livingston drafted this letter pursuant to a November 23 order of Congress directing that he "report a letter to his Most Christian Majesty, to be sent by the Marquis de la Fayette," for which see *JCC*, 21:1136; and the following entry.

[2] In the PCC text, the day has been erased and left blank. Ibid. 2:36.

[3] In the PCC text, "fifth" has been lined out and "sixth" added above the line. Ibid.

John Hanson to the Marquis de Lafayette

Sir, Philadelphia. Novr. 24. 1781.

It is with infinite pleasure and satisfaction, that I transmit to you the inclosed copy of an Act of Congress of the 23d instant.[1]

Believe me, Sir, that Congress being sensible of your great ability, integrity and fortitude, and your distinguished and zealous attachment to the cause of America, have, with the greatest chearfulness, bestowed upon you the new and great marks of confidence & esteem contained in that Act—And certain I am they could not have bestowed them more worthily or with greater propriety.

I shall at this time only beg leave to assure you, that it is my most sincere & ardent prayer, that you may have a safe & prosperous voyage to your native Country; that you may receive a gracious and welcome reception from the greatest and best of Kings; and that you may arrive to an happy and pleasing interview with your Family; And permit me to indulge the Hope of your speedy return to America.

With the highest sentiments of respect & esteem, I have the honor to be &c. J. H.

LB (DNA: PCC, item 16).

[1] For these resolutions granting Lafayette leave to return to France and commending him for his conduct during his command in Virginia, see *JCC*, 21:1134–35. For financial arrangements related to his return to France, see also Morris, *Papers* (Ferguson), 3:232–33, 252–53, 296–97.

As Congress simultaneously directed the secretary for foreign affairs to prepare a letter for the King of France to be carried by Lafayette, Hanson also sent a copy of the enclosed "Act" to Robert R. Livingston this day, for which see *JCC*, 21:1136, PCC, item 16, fol. 126; and the preceding entry.

John Hanson to George Washington

Sir, Philadelphia, 24th. Nov. 1781.

I have the honor of enclosing your Excellency copies of two Acts of Congress of the 16th and 22d instant, which being intended merely for your information and sufficiently explicit on their respective subjects, will require no comment.[1]

Your Excellency's favours of the 4th, 6th and 15th instant have been received and laid before Congress.

I have the honor to be, with great respect, Sir, Your Excellency's Most obedient & very humble Servant,

John Hanson Presidt.

RC (DLC: Washington Papers). In a clerical hand and signed by Hanson.

[1] For these resolves, announcing the promotions of three French officers in the corps of engineers (Louis Le Bègue Duportail, Jean-Baptiste Gouvion, and the chevalier de Rochefontaine), and commending Washington for the steps he had taken for "the liberation of the southern states from the power of the enemy," see *JCC*, 21:1121, 1131.

Charles Thomson to John Jay

Philada. Novr. 25. 1781. A continuation of his survey of the southern campaign, begun July 11 and continued August 9, 1781, covering events from the battle of Camden to Yorktown. Recounts the recovery of Augusta and Ninety Six and the confinement of the British in South Carolina to the neighborhood of Charleston, the operations of the Marquis de Lafayette in Virginia, the arrival of the comte de Grasse's fleet in the Chesapeake, and the preliminaries of the siege of Yorktown, breaking off abruptly with the opening of trenches before the enemy on October 6.

FC (DLC: Thomson Papers). In the hand of Charles Thomson.

Charles Thomson to Robert R. Livingston

Sir, Novr. 26. 1781

I have the honor to return enclosed the draught of a letter to the honble Benjamin Franklin esqr. and to inform you that it is the pleasure of Congress that the letter be written and forwarded by you in your official character.[1]

I have the honor to be, Sr., Your obedient humble Servt.

Cha Thomson

RC (DNA: PCC, item 55). FC (DNA: PCC, item 126). Endorsed: "Accordingly written to Dr. Franklin, & delivered the letter under flying seal into the hands of Major General du Portail."

[1] Maj. Gen. Louis Le Bègue Duportail had written to President Hanson suggesting that Franklin be instructed to express congressional approval to the French court for

his contributions, with his fellow French officers, in the Continental corps of engineers. Although there is no mention of Duportail's letter in the journals, it was referred to a committee previously appointed for instructing Franklin on the Marquis de Lafayette's imminent return to France, and the committee's report had been referred to Livingston. Livingston then submitted his draft of a letter for Franklin to President Hanson for approval on November 25, which Thomson herewith returned. See PCC, item 164, fols. 362–64. Livingston's letters to Hanson and Franklin, the latter bearing the November 24 date of the draft, are in PCC, item 118, fol. 37, item 119, fols. 19–20; and Wharton, *Diplomatic Correspondence*, 4:868–69, 5:3.

Daniel Carroll to Thomas Sim Lee

Dear Sir, Pha. Novr. 27. 81

The president informd me that he enclosd you some papers by last post,[1] & I was interrupted the moment I had begun to write you a few lines. I send to Mr Carroll the only paper I have of Freemans Journal of the 21, containing another of Deans Letters,[2] which he is to let you have, & I request you to forward it to my Brother—when you have done with it.

Please to accept my Congratulations on your being reelected Govr. of our State, & to present my Comps. to your Lady.

I request you to present my Comps, to Cols. Lloyd & Plater & their Ladys & to Col. Forrest.

I am with great esteem, yr. Excellencys Affecte & Obt Sev.

Danl. Carroll

RC (NN: Miscellaneous Folders).

[1] Not found.

[2] For the publication of Silas Deane's "intercepted letters," see James Madison to Edmund Pendleton, November 13, 1781, note 3.

John Hanson to Thomas Sim Lee

My Dear Sir, Philadelphia Nov. 27th 1781

General Washington Arrived here last Evening, I have not yet had the pleasure of Seeing him, every testimony of Joy and respect will I dare Say be shewn on the Occasion.

Our Labours my Dear sir it is to be hoped are drawing to a period, provided a proper use is made of this winter. Let us not entertain the Sentiment that our late Extraordinary Successes have Superseded the necessity of any further Extraordinary Exertions, as has been too often the Case, but on the Contrary let us Strain every nerve to drive the Enemy from every part of our Country the next Campaign; untill that is done, there Can be but little hopes of peace. While they have Any Military force in the united states and

Can preserve a gleam of hope of Conquering or regaining America; no depredations on their Commerce no loss of Dominion in the East or West Indias, will induce them to make peace, because with America reunited to them, they may think they Could Easily regain whatever they may now loose. One more vigorous Campaign might Effect this purpose, would end all our toils, and Secure to us the Blessings of peace And independence, which we have been So long, and So Virtuously Struggling for.

The British fleet as generally believed has left the hook, and gone to the West Indias. The report we had Some time ago of their having Sent a reinforcemt. to Charles Town, it is probable is not true, As it is pretty Certain, that their whole fleet returned from the Chesapeak, to the Hook And landed their Troops. Wishing you health And happiness I am my Dear Governor, Your Excellencys most obedt Serv.

John Hanson

[*P.S.*] I wrote you by the last post.[1]

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] Not found.

Samuel Livermore to Meshech Weare

Dear Sir Philadelphia Nov. 27th 1781

I hinted to you in a former letter that I should trouble you with another bill as soon as I could find a purchaser.[1] My mony is almost gone and I can get no one at present to take my bill. Mr. Pringle says my other bill is not paid. No one wishes to purchase a bill otherwise than at ten days sight. You are sensible Sir a person can not live here without mony. What is to be done? I shall be compelled through necessity to draw a bill in the manner the purchaser would choose to have it; that is at ten days sight. The mention of *sixty days* in a bill drawn by a delegate on his state for subsistance is what one would choose to avoid, it discovers so much poverty that no one will care to trust. However in this embarrassed situation I must do the best I can. I am not doubtfull but you will accept my bill, let it come in what shape it will. I wish it Could be in conformity to the vote of the genl Court; but necessity has no law. Without mony I can neither live here nor get home. Perhaps some may suppose my expences run too high: but you may depend on it I use the utmost frugality to keep within the bounds of decency. But clothing and living are excessive dear.

I am anxious to hear what the court has done abt. delegates. New

Constitution &ca &ca. I have seen Col Derburne & Capt Nichs Gilman on their way from Virginia, they are both well.

I am Sir, your most obedt servt. Sam Livermore

RC (Nh–Ar: Weare Papers).

[1] See Livermore to Weare, October 30, 1781.

James Madison to Edmund Pendleton

Dear Sir [November 27, 1781][1]

Your favor of the 19th instant[2] came to hand yesterday. On the same evening arrived our illustrious General returning to his position on the North river. We shall probably however have his company here for some days at least, where he will be able to give Congress very seasonable aid in settling the military establishment for the next year, about which there is some diversity of opinion. Whatever the total requisition of men may be on the States, I can not but wish that Virginia may take effectual measures for bringing into the field her proportion of them. One reason for this wish is the calumnies which her enemies ground on her present deficiency, but the principal one is the influence that such an exertion may have in preventing insults & aggressions from whatever quarter they may be mediated, by shewing that we are able to defy them.

The Delegates have lately transmitted to the Govr. for the Assembly all the proceedings which have taken place on the Subject of the territorial Cessions.[3] The tenor of them & the reception given them by the Assembly will I doubt not be communicated to you by some of your Correspondents in it.

There is pretty good reason to believe that a descent on Minorca has actually taken place. It is a little problematical with me whether successes against G. B. in any other quarter except America tend much to hasten a peace. If they increase her general distress they at the same time increase those demands against her which are likely to impede negociations, & her hopes from the sympathy of other powers. They are favorable to us however in making it more the interest of all the belligerent powers to reject the Uti possidetis as the basis of a pacification.

The report of Rodney's capture never deserved the attention it seems which was given to it.

I am Dear Sir Yrs. sincerely, J Madison Junr.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 3:317–18.

[1] Not dated, but docketed by Pendleton, "James Madison Esqr. Novr. 27. 1781."

[2] See ibid., pp. 310–11.

[3] See Madison to Thomas Jefferson, November 18, note 1; and Virginia Delegates to Nelson, November 20, 1781, note 1.

Committee of Congress to George Washington

Sir, Philadelphia Novr. 28th. 1781

I am instructed by the Committee, appointed to consider the establishment of the army, and to confer thereon with your Excellency, the Secretary of War, and the Superintendant of Finance, to request your aid on this Subject, at 11 oClock on Saturday morning, in the Committee room of Congress.[1]

It is impossible to specify all the particulars of this enquiry, I shall therefore suggest to your Excellency the most obvious points in it only.

1st. What number of infantry, cavalry, & artillery will be equall to offensive operations?

2d. What number of commission'd, and staff officers are there above the complement of 25,000 rank & file?

3d. How many commissiond, and staff officers will be necessary for 10,000 rank & file?

4th. What will be the amount of their pay, subsistence, and emoluments &ca?

5th. Of what number does the present army consist?

6th. What is the number of men in the different lines?

7th. Cou'd a reduction of the Officers be made with propriety?

8th. Upon what revenue can the United States count with a reasonable prospect of success?

9th. Is it proper, that Congress shou'd engage any bounty?

10th. By what day shou'd the men be requir'd to be in The Field?

11th. If a reduction of officers shou'd be orderd, by what time cou'd it be accomplishd, & upon what principles?

12th. What wou'd be the amount of the 1/2 pay of the officers for 10,000 Rank & file?

The preceding points, tho' not in the whole relative to Your Excellencys functions, are not withstanding submitted to your consideration, that you may have a general view of the matter on which the Committee propose to confer.[2]

I have the honor to be, with great esteem, Your Excellencys Most obt & hble Sert,
Danl. Carroll—Chn. of the Comtee.

RC (DLC: Washington Papers). Written and signed by Daniel Carroll.

[1] This committee, which consisted of Carroll, Samuel J. Atlee, Ezekiel Cornell, Nicholas Eveleigh, and Edmund Randolph, was appointed on November 20 "To report the number of men necessary to be raised for the ensuing year and to proportion the same to the several states, and . . . to report an address to the states, urging the most strenuous exertions in filling up their respective lines." It submitted a report to Congress on December 10, which was adopted essentially as submitted. See PCC, item 186, fol. 4; *JCC*, 21:1163–64; and Committee to Washington, December 5, 1781. See also Committee of Congress to Washington, August 7, 1781; and Morris, *Papers* (Ferguson), 3:308.

For Washington's recent arrival in Philadelphia and Congress' plans to confer with the commander in chief, see also the following entry.

[2] For Washington's November 30 response to Carroll, in which he indicated that he would "attend the Committee at the Hour specified," but that "The Queries mentioned are so extensive that it will not be in my Power to be prepared with satisfactory Answers to All, at our first Meeting," see Washington, *Writings* (Fitzpatrick), 23:366.

Charles Thomson to George Washington

Sir, Wednesday, Novr 28. 1781

I have the honor to inform your excellency that the United States in Congress assembled have resolved to give you an Audience this day at One oClock in Order to give you a farther testimony of the high esteem they have for your person & services and to communicate their intentions respecting provisional measures for the next Campaign.[1]

I have the honor to be, With respect, Your Most obedient & most humble Servt. Cha Thomson

RC (DLC: Washington Papers).

[1] For Congress' decision to meet with Washington upon learning of his arrival in Philadelphia, and the addresses exchanged between him and President Hanson during his official audience this day, see *JCC*, 21:1142–44. See also the preceding entry.

For Washington's prolonged visit to Philadelphia at this time, and evidence of his regular consultations with Continental officials until his departure for camp on March 23, 1782, see Freeman, *Washington*, 5:403–10; and Morris, *Papers* (Ferguson), 3:308, 317, 356, 399, 435, 4:84, 138–39, 167–68, 249.

James Lovell to Abigail Adams

Madam Nov. 29 1781.

My Almanac says that I *wrote* to you on the 9th of October,[1] but your Favour of Sepr. 26 recd. the 8th of Octr. is not endorsed *answered*. Is this the Reason of your Silence? Or, Heaven forbid it! are you sick? At best, I fear you are in Distress. Mr. Adams was well late in Augst. but I cannot conceal my anxieties about your second Son who was to take Passage with Gillon. That Frigate which was to bring him was forced out to Sea without taking the Merchantmen under Convoy which had been loaded with a View of having her Protection. 13 Weeks have elapsed since. I do not however despair, of her arrival. I only deal justly by you in giving the real State of the Case that your Hopes may be duely regulated.

I do not now *answer* your Letter.[2] I write for Post Conveyance and am not in the Humour to use Cyphers.

I find by a Letter of Sepr. 13th from Doctr. Franklin[3] that Mr. Adams had received our Proceedings of June before the Doctor's Communication of them: I mean those Proceedings to which you refer in yr. Letter now before me. I wish much to learn the Effect upon his *Philosopy*. I feel Satisfaction in thinking him a much *calmer* Man than myself. Whatever he determines will be well weighed. He is practised in sacrificing his personal Feelings & Interest to his Country.

I have received some Gazettes from him without a Line of Epistle. This is not the only Reason I have for thinking that my Letters Via France do not reach his Eye.

I hope you are not very ill. You are surely not very well. Yr. m h Servant, JL.

RC (MHi: Adams Papers). Adams, *Family Correspondence* (Butterfield), 4:245–46.

[1] Lovell had also written a brief letter to Abigail on November 26, explaining that he was about to dispatch some boxes containing "those Articles of yours which have been long under my Care" via a wagon of Gen. Benjamin Lincoln destined for Boston, to which he added a postscript on December 2 reporting that "The Goods are gone." Ibid., p. 245.

[2] Apparently a reference to Abigail's letter of September 20 in which she had requested news about her husband John. Ibid., pp. 215–16.

[3] Benjamin Franklin's September 13 letter to Pres. Samuel Huntington is in PCC, item 82, 2:15–18.

James Lovell to John Adams

Dear Sir Novr. 30th. [1781]

I have not to this day Information that you comprehend the Cypher wch. I have very often used in my Letters. You certainly can recollect the Name of that Family where you and I spent our last Evening with your Lady before we sat out on our Journey hither.[1] Make regular Alphabets in Number equal to the first Sixth Part of that Family Name, beginning and regularlly placing your Alphabets according to the Letters and the Arrangment of them in that Sixth. Then look *alternately* into those Alphabets, & opposite to my Figure you will find your proper Elements for spelling.[2]

Most affectionately Yours, James Lovell

RC (MHi: Adams Papers).

[1] Lovell had repeatedly used a polyalphabetic cipher based on the key word Cranch in his correspondence with Adams, for which see these *Letters*, 7:291–92, 15:79–80.

[2] A slightly revised version of this letter was also sent to Adams on December 26, 1781, by the secretary for foreign affairs, Robert R. Livingston, who, similarly concerned with the difficulties Adams had experienced decoding cipher letters, had asked for Lovell's assistance. Two copies of the December 26 text, in the hand of Livingston's secretary Lewis R. Morris, are in the Adams Papers, MHi.

Massachusetts Delegates to William Heath

Dear Sir. Philadelphia Novr. 30th. 1781

Your Favor of the 12th Instant, addressd to the Delegates of Massachusetts, was duely received.[1]

We are sensible that the Masstts. Line have a Right to the Promotion which you mention; & an Attempt was made, some Time since, but faild of Success.

General Lincoln having accepted the Appointment of Secretary of War; no Promotions can be effected but thro him. And as he is fully acquainted with the particular Matter, about which you have wrote to us, we flatter ourselves, that he will give it that Attention which it merits.

As the Commander in Chief is now in the City, & a Committee of Congress are appointed to confer with him upon several Subjects, the Promotion due to the Massachusetts Line, will be particularly attended to by the Delegates of that State.

I am, Sir, with Sentiments of the highest Esteem, Your most obedient Servant,

Samuel Osgood
In Behalf of the Delegates

RC (MHi: Heath Papers). Written and signed by Samuel Osgood. Addressed: "The Honorable Major General Heath commanding the Forces of the united States at West Point &ca. State of New York."

[1] In his November 12 letter Heath had asked the Massachusetts delegates to support the promotion of an unnamed colonel who was commanding a brigade in the Massachusetts Line—a position usually held by a brigadier general. Heath Papers, MHi. The subject of Heath's letter was probably Col. John Greaton, who commanded the Third Brigade in the Massachusetts Line and who was not promoted to brigadier general until January 1783. See *JCC*, 23:790–91, 24:38; and Washington, *Writings* (Fitzpatrick), 24:355, 25:85, 26:35–36.

John Hanson to the States

Sir, Circular. Philadelphia, 31st. Nov. 1781.[1]

Your Excellency will receive enclosed herewith a copy of an Act of Congress of the 23d instant, respecting infractions of the Laws of Nations and the erection of proper tribunals for punishing them.[2]

Such is the importance of the objects recommended in that Act, and so obvious is the necessity for some regulations respecting them, that I feel satisfied they will engage the immediate attention of your Excellency and the Legislature of your State.

I have the honor to be &c. J. H.[3]

LB (DNA: PCC, item 16).

[1] This letterbook copy and the RCs located in the archives of Connecticut, Dela-

ware, Maryland, New Hampshire, New York, and Pennsylvania are all misdated November 31.

[2] The enclosed resolve was adopted pursuant to the report of a committee consisting of James Duane, Edmund Randolph, and John Witherspoon appointed on August 27 in response to a motion by Randolph on the subject. See *JCC*, 21:913, 1046, 1136–37. The committee's report, in Randolph's hand and located in PCC, item 28, fols. 197–98, is endorsed by Charles Thomson: "Report of a comee on a motion 27 Aug. 1781. Delivered 10 Octr. Entd. read. 11th. Crimes agst. Laws of Nations."

[3] Hanson also wrote a brief letter this day [*i.e.*, "31st Nov."] to General Washington covering a November 28 resolve announcing the resignation of Charles, baron de Frey from the Continental Army. See *JCC*, 21:1142–43; and PCC, item 16, fol. 128.

Arthur Middleton to Aedanus Burke

[November? 1781][1]

I am to thank you for two favrs. one from York and one from Petersburgh. Your reflexions political, moral and prudential are just, however it is d[amne]d hard that rascals should be parol'd, & mock Farriers spoil good Horses without a single kick, whilst both deserve hanging; I am sure Machiavell presided at neither of the Conventions. Surely he would have attended to the Doctrine of retribution.

Magnanimity and Generosity are fine words but sanctio worded letters they butter no parsnips;[2] whilst we gratify our feelings as men we should remember the Sufferings of our fellow men. The Soldier should feel for the Citizen and vice versa—in this consists the strongest political Band of Union.

Retaliation has been a wise Law from the days of Moses; but it seems it does not suit our day.[3] Quœre, are we degenerated or grown wiser than our grandmothers? After all that is thought, said and done and not done; it alone is the only magic rod which converts cruelty into mercy and effects wonders. So much for Criticism which some may construe into Treason. You my friend will hold an equal Scale, and give reasoning its just weight.

Nothing material has occur'd since the Affair of York Town. I us'd my utmost Endeavour to throw a preponderating Force Southerly but without success;[4] I much doubt whetr.[5]

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] Middleton drafted his letter in response to letters from Burke of October 16 and November 18 written from Yorktown and Petersburg, Va., for which see *SCHGM* 26 (October 1925): 186–90.

[2] Cf. "Fair words butter noe parsnips." John Clarke, *Paroemiologia Anglo-Latina . . . . Or, Proverbs, English, and Latine . . .* (London: F. Kyngston, 1639), p. 12; and "Fine words butter no parsnips." Arthur Murphy, *The Citizen* (London: G. Kearsly, 1763), Act i, scene 2.

[3] For Middleton's involvement in efforts at "retaliation" against the enemy, see Middleton's Draft Resolves, September ? 1781.

[4] Middleton's November 16 motion to direct Washington to relieve the southern states or to detach reinforcements to allow Nathanael Greene to expel "the enemy from thence during the ensuing winter" had been defeated. *JCC*, 21:1118–19. In the meantime, however, Washington had already directed Maj. Gen. Arthur St. Clair and a detachment of Pennsylvania, Maryland, and Virginia Continentals to join Greene "in the most expeditious manner" possible, for which see Washington, *Writings* (Fitzpatrick), 23:292–93.

After learning of Washington's directive, Middleton also drafted the following brief notes for a letter to Greene: "The reinforcement with Gen. Sinclair will put you above par; if it should not the Consequence will be terrible. Our people and property must feel the balefull Effects of a languid & ineffectual opposition. We are sensible of this & shall therefore strain every nerve to send you on additional succours. When or how It is impossible at present to say. Something it is clear must be done, unless the Enemy Evacuate which does not seem likely just now." Middleton Papers, ScHi.

[5] Thus in FC.

Charles Thomson to Benjamin Lincoln

Sir, Secy's Office Novr. 1781[1]

I have it in charge to furnish you with the Enclosed resolution directing two standards to be presented to the Commander in chief, and to inform you that it is the Pleasure of Congress that you carry the same into Execution.

I cannot forbear congratulating you on the pleasure you must enjoy in Executing so agreeable a commission & am confident You will do it in such a manner as will convey to the world as well as to his Excellency the Commander in chief that dignity and value which it is the wish of Congress should be considered as annexed to this present.

I have the honor to be &c &c, C. T

LB (DNA: PCC, item 18).

[1] The precise date of this letter can only be conjectured. It is entered in Thomson's letterbook between letters dated November 21, 1781, and February 21, 1782. The resolution herewith enclosed was adopted on October 29. Secretary Lincoln did not actually carry out the presentation ordered, honoring Washington for his role in the capture of Cornwallis at Yorktown, until December 28. See *JCC*, 21:1081; and Washington, *Writings* (Fitzpatrick), 23:414.

William Churchill Houston to William Livingston

Sir, Philada. 1 December 1781.

Before I left Trenton was informed that a Bill for regulating Admiralty-jurisdiction was before the Legislature. As an Ordinance on that Subject is now in Congress and in Forwardness to be passed upon for Adoption or Rejection, I think it would be prudent to suffer the Bill to rest a little Time, that a Conformity may be observed between them.[1] I cannot form a distinct Opinion whether the Whole or any Part will be agreed to, but in either Case, or if the Draught be postponed and laid by, I will take Care to advise you seasonably, that the Laws may notwithstanding be enacted during the Sitting.

Permit me to take Advantage of this Occasion to observe, that it would be very useful to the Delegates to have the Titles and Object of the several Bills from Time to Time before the Houses, sent to them, that they might communicate what would be necessary and proper respecting the Proceedings of Congress. The Delegates on the other Hand ought to communicate the Heads of all Ordinances and Resolutions before Congress, except such as the Confederation call secret Matters. For this and other beneficial Purposes a Committee of Correspondence with the Delegates would be desirable, and the latter ought to be obliged to write by every Post. I am, Sir, your obedt Servant. W. C. Houston

RC (NN: Livingston Papers). Addressed: "His Excy the President of the Council or The Honble the Speaker of the House of Assembly, at Trenton."

[1] For the new ordinance "ascertaining what captures on water shall be lawful" adopted by Congress on December 4, see *JCC*, 21:1152–58; Henry J. Bourguignon, *The First Federal Court: The Federal Appellate Prize Court of the American Revolution, 1775–1787*, Memoirs of the American Philosophical Society 122 (1977): 130–31; and John Hanson to the States, January 6, 1782, note.

William Floyd to George Clinton

Sir Philadelphia December 3d. 1781.

I have been here about ten days but am not able to give a Vote in Congress as my Colegue is not yet arrived.[1] Several States being un Represented as well as ours, which make a very thin house and Difficult to Do Business as Every Question Requires Seven States to agree to it before it can pass.

I have not got the key to the Box which Contain all the papers which belong to our State here. Mr. Lhommedieu informed me that Mr Duane Intended to leave it with your Excellency.[2] I hope Mr. Scott will bring it on with him if he Comes, if he does not, I hope another of my Colegues will come on as Soon as possible, for it is very Disagreable for me to be attending here without being able to give a Vote on Interesting Questions. I would therefore beg that you would urge the Attendance of Some one or other of them.

There is Nothing material passed Congress Since my Attendance here and for the News must beg leave to Refer you to the Inclosed papers. And am Sir with the greatest Respect Your most Obedt and humble Servt,

Wm Floyd

RC (N: Clinton Papers).

[1] Floyd remained New York's sole representative until John Morin Scott arrived to take his seat on February 14, 1782, for which see *JCC*, 22:75, and Clinton, *Papers* (Hastings), 7:532–33, 539–40.

[2] The location of this key was also discussed by James Duane in a letter to Clinton written from "Manour Livingston" on December 2.

"When we left Philadelphia we deposited the State papers in a Box with Mr Secretary Thompson. The Key I neglected to deliver to your Excellency as I passed thro' Poghkeipsey and it is now sent by Col. Troup for the use of such of the Delegates as are appointed to attend Congress." Clinton Papers, N.

Georgia Delegates to John Jones

Sir Philadelphia, December 3rd. 1781.

Since the happy and important event of the reduction of Cornwallis and his army we have nothing materially interesting. Northern operations have been, for a considerable time, and will continue of little importance, as the views of the enemy have been Southwardly; what their next frantic System may be, we must submit to time and observation. It is pretty certain that only a part of the late embarkation from New-York were dis-embarked, and some conjectures are they must be destained for the West Indies, others to Charleston; Should the latter have been their object they must be arrived long before this can reach you. It is to be lamented that the allied operations could not be carried into effect, to the Southward, with that dispatch, we had reason, at one time, to hope.

The re-inforcements Sent on under Major Genl. St. Clair will give Stability to our measures in the Southern quarter. It will afford General Greene a prospect of curtailing the enemies limits to Charleston and the Sea-Islands; and flatter ourselves it will cause Savannah to be evacuated, if not we hope that place will be made exceedingly *uneasy* to them.

You may in all probability be informed by the Superintendant of Finance that the Quota allotted to Georgia of Eight Millions of Dollars to be raised on the United States for the ensueing Campaign, has been ascertained at twenty four thousand nine hundred and five Dollars. We used every possible means to reduce even that Sum: and upon the close of the estimate Congress were informed that a Tax Bill was not to be expected, as our distress, by means of the ravages of the enemy had effectually precluded every idea of

Taxation for some time. We therefore hope you will rest easy on this head.[1]

Soon after the new delegation took their Seats in Congress, Major General Howe appeared in consequence of an order of Congress dated the 5th of September last, to answer an enquiry to be held respecting his conduct on the capture of the army under his command at Savannah, and the evacuation of the State soon after. The Steps we have taken in consequence of his arrival, we enclose for your consideration[2] and beg leave to suggest what is already done we conceive to be nearly adequate to the views of the Assembly.

Since the emission of paper money has ceased, but above all since the circulation of it has had a final Check, the principles of economy and that of finance appears the object of States looking forward to the security of their independence and so much of this has been adopted by congress, that there is not a probability of drawing any resources, except what is sent to be immediately under the direction of the commanding officer to be applied to the use of the army. South Carolina is under the same difficulties with our State, in point of State Supplies; and all that has been supplied to the two States for months past, has been three months pay and Subsistence to the officers that are and have been prisoners at Charleston &C.[3] and even this can only carry the idea of locality, as they without doubt belong to the United States; we do not mean to include the idea of Supplies to the delegates of these States, in this observation. On a view of this system you will readily perceive the Situation of affairs here, & make such allowances as the emergencies of the times may require. We sincerely wish that we may soon be reinstated in the full possession of our country, and by Steady and adhereing principles of economy and decorum in our public affairs, there can be no doubt of establishing *funds* adequate to the Support of our own internal police, and by pursueing our public measures with decision and rectitude, we shall recover the *ground* we have lost, and soon rise equal to any state in the Union. This is not only known to our friends, but also to our enemies, and causes the latter to contend for the prize—and the idea of the extent & fertility of our country, will scarce give our *friends* time to reflect or even Suppose we stand in need of any thing. A fund was established some months since to support the delegates of the disabled States, in which were included the three Southern ones;[4] and we are informed the Government of South Carolina is sending Indigo to support their Delegates here, and it appears time, as this *fund* cannot last long, and we do not think any additional provision will be made—and even Supposing this to be done, in what a situation must we be, to apply for a fund to be established for our own support (when the other States will be independant in point of supplies) this is so repugnant to every prin[ciple] of policy & Goverment, that our necessities must be great indeed before we can submit to a measure of this kind; and yet in our present situation we do not know how we can do without it.

We expect a quantity of clothing to arrive soon in this city, at which time we are hopeful that Some may be procured under a supply for Colo Jackson's Troops and at the same time, premise, that the capture of Cornwallis and his army may assist in obtaining some *arms*, after which we are sanguine in our expectations that the *funds and resources* of the State will prove adequate to our wants.

How much more will it be to our honor, to Support our own *internal police* from our own *funds;* by which measure we will in every possible view of political affairs, evince to our *friends* and our allies, that we are looking forward to, and securing every Pass leading to our *Independence;* Such conduct will give weight to our councils and Stability to our measures in general.

We beg leave to suggest that paper money (and in particular the old emissions of Congress) can never have any currency, and certain we are that no given sum in it would purchase one pound of Beef or Mutton at market, or any other article to the value of either in this City; and even this is no new matter; it is of many month's standing; and we judge it best that all contracts be in *Gold and Silver,* to be paid at distant periods, and that no sales be made except it be in *Specie* as aforesaid; and even then only so far as the pressing and immediate emergencies of the State may require. When Sales are made under our present Situation; it is evident that property can not be disposed of to one fourthe the real value, as if the enemy were out of our country, & She thereby recovered from her present distress.

The arrears due by the State cannot be properly ascertained until we are in full possession of it, and certificates to the different departments must stand and be settled & liquidated hereafter, as State, or as United States—as the Case may be. We beg leave, Sir, through you to offer our hearty congratulations to the Honorable the Assembly, on the Brilliant Success of the combined arms over the enemy at York and Gloucester in Virginia, and also on the return of a new and *free*—constitutional Assembly,[5] to whom be pleased to make a tender of our respectful compliments, and we have the honor to remain with esteem and respect, Sir, your most Obedient Humble Servants, Edwd. Telfair

N W. Jones.

Tr (MH–H: Sparks Collection).

[1] Georgia had received an "abatement" of two-thirds of its November 2 quota of $24,905 for 1782, according to Edmund Randolph, but Samuel Livermore did not even include the state in his list of U.S. inhabitants on which the quota was based, perhaps because the Georgia delegates had informed Congress, as stated here, "that a Tax Bill was not to be expected." See *JCC*, 21:1090; Livermore to Meshech Weare, November 6; and Randolph to Thomas Nelson, November 7, 1781.

[2] Enclosure not found, but for the convening on December 7 of a court martial for

Gen. Robert Howe, which had been initiated by the Georgia delegates on instructions from the state assembly, see Georgia Delegates to Baron von Steuben, December 9, 1781, and to Mordecai Sheftall, January 3, 1782.

[3] Although the Board of War had recommended "three months effective pay" for these officers, Congress had approved "six months nominal pay" the preceding August. See *JCC*, 21:858.

[4] On July 30, 1781, Congress had established a fund under the superintendent of finance that provided individual delegates from the three southern states $150 per month, and those with families $200, until the states recovered sufficiently to resume support of their own delegates, for which see *JCC*, 21:814.

[5] For the reestablishment of government in Georgia, see Georgia Delegates to the Speaker of the Georgia Assembly, July 18, 1781, note 1.

Oliver Wolcott to Samuel Huntington

Sir Philadelpha. 3d Decr. 1781

I have been favoured with your Letter of the 13 Ultimo—And am glad that you have put it in my Power to Acknowledge the obligation, in doing which you will expect that I acquaint you with any News of Importance which We have recd. here, But in this I hope your Expectations are not great, and that you will content yourself with the Capture of one Army only, this Campaign. We have Nothing from Genl. Greene since the Action at Eutaw. You have doubtless heard that the Count de Grasse has left the Cheasepeake, that the Northern Troops are returning, and that the French Troops will probably continue in Virginia this Winter.

Genl. Washington is in this City, where he will probably continue for some Time as his Assistance will be highly important relative to the Provisions necessary to be made for the next Campaign.

A Committee of Congress are appointed to consider and Report what Military Establishment may be necessary for the next year.

Genl. Lincoln has accepted of and is now acting in his Office of Secretary of War. Genl. Knox whose Services especially the last Campaign have been Very Meritorious will probably be promoted as Genl. Portail has lately been to the Rank of M Genl.

Nine States are represented in Congress, N York and N Carolina will probably soon be so, As Mr Floyd and a Mr. Hawkins are now here, Mr. Scott will soon attend and some new members from N Carolina. Delaware as usual unrepresented. Mr. Livermore only from N Hamshire. This State have reelected their former Members. Mr. Moore is President—Genl. Potter Vice President.

Congress have made a Requesition from the States for Eight Millions of Dollars, which you have probably heard of.

The Events of this year have been truly happy and important, and may probably make a deep Impression in Europe. But it behoves us to be at present only attentive to prepare for another Vigorous Campaign.

You Say that you believe some mode has been adopted here for the Expressions of the general Joy for the Capture of Ld. Cornwallis. The principal one was the Illumination of the City, and breaking every Man's Windows who refused, This Occasioned a heavy Loss to the Quakers—A Circumstance which I think does not Merit Applause.

I shall be happy Sir at any Time to receive Letters from you. And am with real Attachment Your Most Obedient Servant,

Oliver Wolcott

RC (MdHi: Middendorf Deposit, 1972).

Samuel Livermore to Meshech Weare

Dear Sir, Philada Decr. 4. 1781.

I have just time to inform that I am as well as usual. Nothing new has turnd up since my last.[1] I do myself the honour to enclose you a paper.

I have seen your new plan of Govt. and am of opinion it might be altered for the better. However, I shall not interest myself in it being at this distance.

I am Dr. Sir your friend & most obedt Servant.

Sam Livermore

RC (Nh-Ar: Weare Papers).

[1] Livermore to Weare, November 27, 1781.

James Lovell to Abigail Adams

Decr. 4th 1781

In answer to some Questions contained in your Letter of Sepr. 26[1] you may know that Mr. Laurens might {pay any sum up to five hundred pounds}[2] s[terlin]g therefore the same is now to be done at discretion. {F Dana is} *accompanied* under somewhat similar discretionary stipulations. Indeed you are mistaken about the Scales. I should be happy to be *sure* of what you only *conjecture*, I mean that {J. Jay goes}.

The Boston Papers first and afterwards yr. Letter of Novr. 15 made me yesterday very happy after eight and forty hours of most painful Condolance with your Family upon Information given to Genl. Lincoln by his Son from Cambridge under date of the 17th.[3] I will permit my dull Thoughts under a former date to go on that you may the better judge of my present Joy. You will yet embrace your dear Charles whom I had buried under the Waves without daring to tell you the whole of my Imaginations. I have already mentioned the Goodness and Punctuality of Genl. Lincoln by which my honest tho ineficacious Endeavours to serve you are intirely eclipsed. You will look to Col. Crafts for what has been long under my Care.

There is in this City a Gentleman by the Name of Philmore. I know not that I have ever seen him; but I have been accustomed on hearing his Name mentioned to suppose it Philip *More*. Mr. Osgood tells me he spoke with a Man at a Tavron here by the Name of More. And if I recollect right I sought the same Person to be the Bearer of some Letters to Boston but found he was gone to Baltimore. As to his Character Mr. O supposes him to be one of the Chiefs of that honest, industrious Class who have made the Roads smoke for two or three Years by their Changes and Exchanges. If I saw him; I have forgot it. But, my esteamed Friend, what is he *more* or *less* to me than any others of his Tribe or Name?[4]

"You had not replied to mine of Oct 9." "You had felt a Reluctance at Writing." You do not say at answering or noticing *it*. Yet your following Expressions excite an Idea of the Kind, and have in them a sort of Asperity which I own I never expected to experience *again* after the date of some of your former Letters. I have not a Copy of any one Line that I have ever written to you; nor do I recollect that I have at any Time made a Copy: so that I know not whether the Scrawl of Octr. 9th was a simple one or whether it had any thing about it that you could conceive was intended as a "Border." Be assured of my settled, deliberate Resolution not to waste a drop of Ink or injure the Fibre of a Quill in that Way. I presume you can turn yr. Eye upon what is before me of Novr. 15. You have said too little or too much: I think the former. I must know *More*, or you will "not act the part of a Friend in that particular." I have a Right to conclude that some Circumstances have retarded the Progress of your (friendly) Pen if "only *one* is wanting to put a *final* Stop to it." I am very uneasy at this same Letter of yours of Novr. 15th—And my present Circumstances make that assertion convey the most respectful Compliment that I have ever paid you. For you are to know that I am so far pressed with what I call *real substantial* misfortune, the End of which I do not foresee, that a Letter verbatim like yours from any other Pen *but one* on Earth would not have been read a second Time over much less would it have found Room to have operated in my Head or Breast. Your good Sense & your Friendship make the second Claim to my attention after that sovereign one which Mrs. Lovell secures by an avowed, uniform, unabating Love and a prudent Confidence which is sure not to be abused.

Must I become the Slave to *Opinions?* You betray me Madam. You have almost brought me to think that the *Breath* of a Villain is an object for my Resentment.

RC (MHi: Adams Papers). In Lovell's hand, though not signed. Adams, *Family Correspondence* (Butterfield), 4:253–55.

[1] Not found.

[2] Words in braces were written by Lovell in a cipher based on the key word Cranch.

[3] Abigail had reported that the frigate *South Carolina* carrying her son, Charles, which Benjamin Lincoln, Jr. had reported as lost at sea, had put into a Spanish port. Ibid., pp. 244–45.

[4] Abigail had also asked if Lovell knew a "Man by the Name of *More*," and "What is his character?" Ibid., p. 244.

Maryland Delegates to Thomas Sim Lee

Sir, Pha. Decr 4th. 1781

We have the honor to enclose an extract from the communications lately made by the Minister of France to Congress,[1] & request to be informd of the quantity of arms, & military Stores you have orderd, and of any other circumstances relative to this subject you may see proper.

We have, the honor to be, with great respect, your Excellency's most Obt Servts.

John Hanson

Danl. Carroll

"The Count de Vergennes in a letter dated the 7th of Sepr. mentions, that in consequence of applications from the States of Virginia, & Maryland, the King had orderd a number of arms, & military Stores to be shipd to them, Subject however to the order of Congress: that these were to be paid for out of the Loan-negotiating in Holland, which he had reason to think wou'd be compleated."

RC (MdAA: Red Books). Written by Carroll and signed by Carroll and Hanson.

[1] On November 23, 1781, the secretary for foreign affairs, Robert R. Livingston, laid before Congress the transcript of a "verbal communication" made to him by the French minister, La Luzerne, which summarized, in part, a September 7 letter from the comte de Vergennes. The communication was entered by Secretary Thomson in the secret foreign journal under the date January 25, 1782, apparently because a plan of a convention concerning consular powers was adopted that day, but was printed by Gaillard Hunt under the date it was received. See *JCC*, 21:1137–40; PCC, item 5, 2:617–20; and Wharton, *Diplomatic Correspondence*, 4:859–60.

Virginia Delegates to Benjamin Harrison

Sr. Philaa. 4th Decr. 1781

Relying on the assurances given by your Excellency,[1] that we should be releived from our embarrassments here, by the agency of Mr. Ross to whom our supply had been committed, we ceased from further representations on that head, believing them to be as disagreeable to you as they were painfull to ourselves—but the experience we have had of Mr. Ross's exertions serves only to shew he wants either the inclination or the ability to extricat us from our difficulties, the supplies furnished being inadequate to our occasions, and chiefly by Bills drawn upon credit obtained here payable from forty to sixty days sight, and discounted at a loss to the State of from 10 to 18 and 20 per cent—a trafic as disagreeable to us as dishonourable and injurious to our constituents.

Mr. Thomas Pleasants acting here under the direction of Mr. Ross has opened to us a prospect of future supply, less uncertain and dependant Than we have for some time experienced, and hoping it may be convenient to the State to adopt the measure, we have taken the liberty to draw a Bill upon your Excellency for four[2] thousand dollars in specie, payable sixty days after sight to Mr. John Cowper or order, which, if duly honoured in Virginia, will establish a fund of supply for the Delegates, who may attend in Congress, for part of the ensuing year, and relieve them from the inconveniences and anxiety of precarious subsistence. We have the honor to be, yr. Excellency's obedt. huml. Servts. J. Madison Junr.

Edm. Randolph.

Jos. Jones

P.S. This Letter has been opened since it was Sealed to alter the Sum from eight to four thousand dollars the amount of the Bill now drawn. Mr. Cowper could furnish the larger Sum and we request your attention to that sum if practicable as perhaps so good an opportunity may not soon present itself.

RC (Vi: Continental Congress Papers). Written by Jones and signed by Jones, Madison, and Randolph. Postscript by Madison. Addressed: "His Excellency The Governor of Virginia Richmond."

[1] For the delegates' explanation of their financial plight to former governor Thomas Nelson, to whom they assumed they were writing, see especially Virginia Delegates to Nelson, September 18, 1781. For Nelson's "assurances" of aid, see Madison, *Papers* (Hutchinson), 3:268n.10, 276n.5.

[2] Written above a deleted "eight," for which see the postscript.

Committee of Congress to George Washington

Sir, Pha. Decr. 5th. 1781

The Committee have instructed me to Submit to your Excellencys consideration, the enclosd propositions relative to the army, on which they desire to confer with you in the Committee room of Congress at half hour after ten oClock to morrow morning if convenient.[1] I have the Honor to be with great respect, & esteem, Your Excellencys Most Obt & very hble Serv. Danl. Carroll

ENCLOSURE

Resolv'd, that the Legislature of each State raise at the expence thereof, in the first instance, to be reimburs'd by the United States, so many men, as may be necessary to complete its quota of the number of land forces agreed upon in the resolutions of the third & twenty first day of Octr. 1780, calculating its deficiency upon the number of men which it will probably have in the field on the first day of March next.

Resolv'd that the Commander in Cheif cause returns to be made, as speedily as possible, to the Legislature of each State of the number of men, which such State will probably have in the field, under the present enlistments, on the first day of March next.

Resolved, that the Legislature of each State be called upon in the most pressing manner, to have the regiments thereof compleated and in the field by the first day of March next at farthest.

Resolvd, that it be recommended to the Legislature of each State to fill up the regiments thereof for three years, or during the war.

Resolv'd that after the first day of   each State shall be accountable to the United States for the pay and emoluments of every regimental Officer belonging thereto, who shall be excluded from actual employment in their respective grades, by a deficiency in the number of men hereby requir'd from such State, or in the number which may be deemd by the Commander in Chief proper for the actual employment of the Officers in their respective grades.[2]

RC (PHi: Gratz Collection). Written and signed by Daniel Carroll. Enclosure (DLC: Washington Papers). In the hand of Daniel Carroll.

[1] For the appointment and work of this committee, see Committee of Congress to Washington, November 28, 1781.

[2] Congress adopted these resolves on December 10 with only slight modifications. See *JCC*, 21:1163–64. See also John Hanson to the states, December 12, 1781.

For the committee's draft of a circular letter to the states exhorting compliance with recently assigned troop and fiscal quotas to avoid giving encouragement to the enemy, which was the work of Carroll and Edmund Randolph, see also *JCC*, 21:1174–78; and PCC, item 24, fols. 313–26.

John Hanson to George Washington

Sir, Philadelphia, December 5th. 1781.

I am directed by Congress to inform your Excellency that you proceed to the exchange of Officers that are on parole, for an equal number of our Officers who are Prisoners of War, Rank for Rank; and where that will not apply to proceed by composition, as far as the enemy will agree, without exchanging Lieutenant Genl. Earl Cornwallis.[1]

I have the honor to be, Sir, with the highest respect and esteem, your Excellency's Obedient & very humble Servt.

John Hanson Presidt.

RC (DLC: Washington Papers). In a clerical hand and signed by Hanson.

[1] Although no such directive to Hanson is recorded in the journals, Congress apparently adopted this instruction in response to a December 3 letter from Washington explaining that he had received a proposal from the British for exchanging "the residue of our Officers taken at Charlestown, for part of those lately taken at York in Virginia" and needed to know "whether Congress have any objections to the exchange of Lieutenant Genl. Earl Cornwallis." In response to the present letter, Washington directed commissary of prisoners Abraham Skinner to continue with the proposed exchange on the condition Congress had laid down, but he reported to Hanson on December 24 that Sir Henry Clinton had refused "to proceed in the exchange of Officers except Lord Cornwallis is included," and requested additional congressional instruction. See Washington, *Writings* (Fitzpatrick), 23:369, 372–73, 403–4.

For the "stop for the present" that Clinton's refusal put on the proposed exchange negotiations, see also Oliver Wolcott to Jonathan Trumbull, January 8, 1782.

Benjamin Hawkins to Abner Nash

Dear Sir, Philadelphia 5th Decr. 1781.

I have sent forward your letter to Mr. Whiting which came under cover to me. Genl. Clinton continues very quiet in New York and I believe is content to spend the winter there in peace, their pride is exceedingly hurt by their late disgrace, the officers conscious of having forfeited the very high opinion entertained of them in america and particularly in England, seem to be looking out for objects to cast the blame on, the letter of Lord Cornwallis to General Clinton is a proof of it.

Some late accounts from Europe, represent the British nation to be exceedingly embarrassed by the series of misfortunes attending their navy and armies, this year; when the combined fleet were in the Channel the Nation were so much alarmed for the safety of their fleet, that the Admeral to quiet them, was oblidged to publish they were safe.

The Dutch at last seem determined to act spiritedly, and are making great exertions to repair and Augment their navy, we now expect a loan of money from them, and we have some assurances that our expectations are well founded, I say this because on some former occasions it has been expected from whence [it] was not to be had.

The King of Prussia, tho [not a] Maritime power has acceeded to the armed neutrality and a number of Dutch ships sail under his flag, in consequence thereof.

The Spaniards have landed on Minorca and taken the town by surprise and about 300 prisoners they are in possession of all the Island the Castle excepted, which lays three miles from the town, this enterprise was so well conducted that the inhabitants had not time to move any of their effects into the Castle, it is said that the treasure found here was equal to what was in St. Eustatius.

France continues determined to render us every assistance in her power, and urges us to make every effort to compell Britain to make peace, for she finds that that turbulent impereous power will do nothing but by compulsion, tho I think she must be seriously inclined to peace by this for She must certainly see, that if the War continues one year only, unless some wonderfull enterposition of providence her possessions in the two Indies, America and on the Continent will be divided amongst her enemies—probably Prussia acceeding to the Armed Neutrality is to give her an Oportunity, should she be insulted to seize Hanover.

I have obtained from Congress for our State one thousand stand of arms, in addition to the thousand furnished by the Commander in Chief, to be dilivered immedeately to our [or]der at Richmond with Cartridge boxes, Flints, Cartridges, powder and Musket Ball, in proportion to the muskets,[1] tho I hope by this you do not need them, as I expect the post at Wilmington will be this month reduced or evacuated and the enemy be put up at Charlestown, by a regular force, until we shall be able to reduce them.

I must repeat to you my old request that you would come on to Congress, as soon as the assembly sits, you would be happy here.[2] I shall return shortly, I hope.

Inform Mr. Ellis that the bill he drew on Mr. Ball, in favour of George House for forty dollars has not met that attention due to it, as he has not excepted till now and only on condition that he sells the bill. I told Capt. Ho[use] who give me this information, not to have the Bill protested, that I would pay it, since which I have not heard from him.

I am happy to hear Mrs. Nash is well, her genteel treatment, hath made a lasting impression on me, pray give my respects to her. I have not visited Miss Peggy so often as I intended or shall, she is very well, when I first saw her, she cryed a little, but soon recoverd.

It is now one o'clock at night, therefore adieu, as I can write no more.

Benjamin [Hawkins]

RC (Nc–Ar: Miscellaneous Papers).

[1] See Hawkins to Henry Knox, November 13, 1781, note.

[2] Hawkins' meaning is obscure, inasmuch as Nash was not elected a delegate to Congress until May 1782. According to the journals of the North Carolina assembly, the delegates elected on July 12, 1781, to represent the state for the ensuing year were Ephraim Brevard, Charles Johnson, Samuel Johnston, and William Sharpe. However, Charles Johnson had immediately resigned his seat, and Hawkins and Nash had been nominated to replace him, with Hawkins being elected on July 14 "by a large Majority of the votes of both Houses." See *N.C. State Records*, 17:956, 968, 970, 975–76. Brevard chose not to attend Congress while Samuel Johnston and Sharpe, who had served the previous year, left Congress in mid-July and early October, respectively, never to return. Hawkins, therefore, had become North Carolina's lone representative in Congress when he presented his credentials on October 4. Consequently the state did not have an official vote in Congress from Johnston's departure in July 1781 until the arrival of two new delegates in July 1782. See *JCC*, 21:1034, 1104, 22:404–6; and Sharpe to Thomas Burke, July 28, note, and to Thomas McKean, October 1, 1781, note.

William Floyd to George Clinton

Sir

Philadelphia December 6th. 1781

Since writing to your Excellency two days ago[1] I have been honoured with your Letter of the 24th of Novbr. with Several others therewith Enclosed, all which are Delivered.[2]

The Concurrent Resolves of the Senate and Assembly Respecting the New Hampshire Grants has been Read, and I did my Endeavour to have them Entered on the Journals, but Could not Succeed in that; gentlemen who were opposed to it urged, that it was unpresedented; and very Improper; to Enter on their Journals, Concurrent Resolves of Any State, which had a Direct tendency to Criminate Certain Resolutions of Congress. It Stands Entered on the Journal that they were Read and ordered to be Filed in the Secretaries office.[3]

The other Resolves with your Excellencys Letter Shewing the Distressed Circumstances of our State; I have got Committed to a Special Committee—and as Soon as the Determination of Congress is had thereon I will do myself the pleasure to advise you thereof.[4]

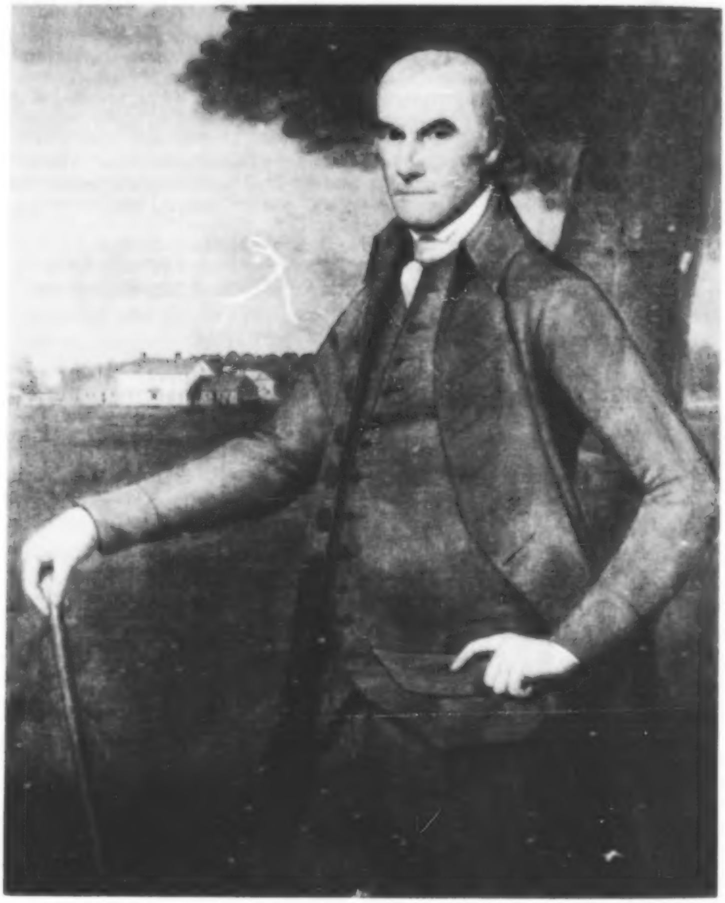
From Sir your Most Obedt. and very humble Servt,

Wm Floyd

RC (N: Clinton Papers).

[1] See Floyd to Clinton, December 3, 1781.

[2] Clinton had sent November 24 letters to the New York delegates, John Hanson (2), Robert R. Livingston, and Robert Morris. See PCC, item 40, 2:105–17, 123–24,



William Floyd

item 67, 2:438–50, item 78, 6:75–76; and Clinton, *Papers* (Hastings), 7:514–23.

[3] Floyd not only failed in his effort to have New York's resolutions protesting Congress' Vermont policy entered on the journals, but was also unable the following day to carry a motion "to add as a farther description of the [state's] concurrent resolutions . . . the following words, to wit: 'And protesting against any attempt made by Congress to carry into execution their said acts of the 7th and 20th of August last'." The vote on this motion was actually 5 to 1 in support of Floyd, but three states were divided and four unrepresented, including New York, as Floyd was the state's sole delegate in attendance. See *JCC*, 21:1159–61.

[4] Clinton's November 24 letter enclosing the legislature's joint resolution concerning financial affairs was read in Congress on December 5 and referred to a committee of Ezekiel Cornell, William Churchill Houston, and Joseph Jones. See PCC, item 67, 2:438–50, item 186, fol. 5. The committee made a brief report on December 20 concerning Governor Clinton's request for the loan of gunpowder, directing the secretary at war to furnish two tons to New York, but the major response to the state's pleas for financial relief was made by Robert Morris in a letter to Clinton of December 11. See *JCC*, 21:1181–82; and Morris, *Papers* (Ferguson), 3:369–71.

Rhode Island Delegates to William Greene

Sir Philadelphia December 6. 1781.

We do ourselves the honor to inform your Excellency, that the Minister Plenipotentiary from the Court of France to these United States, has lately communicated to Congress, thro' our Secretary for foreign Affairs, that he had it in command from the Minister of France, to inform Congress, that the King, his Master, was highly pleased with the Confidence, Congress had placed in him, and that the King would pay the same Attention to the interests of the United States, as to that of France; that Congress would have no reason to say that they had misplaced their Trust, that if all was not obtained that the United States had reason to expect, it must be imputed to the unavoidable Events of War, that from late successes and present appearances, the King had no reason to expect he should be under the necessity of making any concessions either on his own part, or that of the United States, that it is his most earnest wish, that every possible Measure should be taken and every exertion made by the United States to be ready for an early and spirited campaign. The reasons are given that make those measures the more necessary but must at present be omitted.[1]

Doctor Franklin, in a letter of a late date,[2] informs Congress, that there is every reason to expect the continuance of the friendship of our great, good and illustrious Ally, the King of France and his Minister the Count de Vergennes. The Doctor speaks of this Nobleman in as high terms as the English Language will admit. He says that the King upon hearing of the Capture of the Transport, the Marquis la Fayette was apprehensive that our Troops would be distressed for want of Cloathing, and had given orders to replace all the cloathing and other articles that were taken in that transport. The Doctor advises Congress of the absolute necessity of their making every exertion so as to be ready for an early and vigorous campaign, and among other reasons for urging those measures, he says should Great Britain propose a Treaty, much time will be spent in settling the preliminaries, before any progress can be made in negociating; and should any remissness on our part give the Enemy the opportunity of striking some unhappy stroke during that period it may be out of our power to retrieve the loss and by that means frustrate any negociati[ons] taking place or at least turn it greatly to our disadvantage. This is the tenor of the Language from all our Ministers abroad, and all our intelligence across the Water from every quarter so far corroborates as to leave no room to doubt the utility of the Measure. We think it needless to say more on this subject. These are the facts and you Sir must be the best Judge of the abilities of our constituents and the measures that can be adopted with the most probability of Success.

A Gentleman of Character in a letter from Madrid, of a late date,[3] says he thinks nothing will be done by the Court of Spain in setting on foot any negociation, untill they know how the present campaign will end. He further adds, that little or nothing, can be done in the reduction of Minorca, until the Arrival of the intended reinforcements of French and Spanish Troops from Spain, that they were not then embarked. What a pleasing reflection it is to view the glorious success of the combined Arms of France and the United States, and to see that it has already given peace and safety to a very considerable district that had been long harrassed by the Enemy and that it tends still further, not only to humble the pride and power of Great Britain, but may in some considerable degree be the means of setting on foot a negociation, that may terminate in establishing an honorable and lasting peace to the United States.

Congress have received a letter from the Governor of the State of New York, inclosing a number of resolutions of the Senate and Assembly, of that State, declaring their right in and over the territory or tract of land heretofore called, the New Hampshire Grants, the allegiance, that hath been from time to time paid by the people inhabiting those lands, to the said State, also protesting against the Act of Congress that declare the aforesaid Territory to be an independent State by the Name of Vermont and setting forth that the said Acts are contrary to several articles of the Confederation, and further protesting against any measures that have been taken by Congress, or that they shall hereafter take to carry said Acts into execution, and finally instructing their Delegates in Congress to use every means in their power to prevent the same. Congress have not received a single line of intelligence from the state of Vermont since the passing the aforementioned Acts.

An Ordinance has lately passed Congress, for regulating Captors and Captures on the High Seas and condemnation of the same, and, among other things, it is ordained that all British property found within three leagues of any of the Shores of the United States, except it be in French Bottoms or hath been previously captured and condemned, shall be liable to Capture and condemnation after the first day of March next. All Acts and Ordinances heretofore made in any wise touching captures is by said Ordinance repealed and this to take place immediately. You will please to excuse our not being more particular on this Subject as we expect the Ordinance will be immediately transmitted to you by the Secretary of Congress.[4]

It is with pleasure we can inform you, that the stock of Cloathing now on hand is a more ample supply for our Army than we ever have been able to make before at any one time since the commencement of the War. It is sufficient to compleatly clothe every Soldier now in Service exept Blankets, of that Article there is a deficiency but such Measures are taken as we flatter ourselves cannot fail of Success.

A Committee has been appointed to confer with the Commander in chief and Secretary at War on the best measures for arranging and filling up the Army, so as to make it respectable.[5] The Committee have reported, that it is inexpedient to make any alterations in the last arrangement that was made by Congress on the 3d and 21st of October 1780 and that the several States be called upon to fill their Regiments with Recruits to serve for three Years or during the War. It appears probable, Congress will agree to the Report of the Committee, and that requisitions will be sent to the several states accordingly. If this should take place we shall be happy to give you the earliest information. We apprehend you will be a little surprized at the deficiency that will appear to be in our Regiment, when Col. Olneys Returns come to hand. The Colonel is arrived at the Head of Elk with his Regiment after having experienced almost every kind of distress in a long passage by Water from York Town. The Regiment is very sickly, the small Pox has got among the last Recruits, in this case they are not alone many from other Regiments are down with it.

All the Executive Business under Congress, is now in new hands and we hope for the better and have the happiness to think that not only much less money is misapplied, than has been at many former Periods but turned to much more advantage to the Public. The established Character of the Superintendant of Finance, his Abilities, numerous correspondents in different parts of the World and permanent property give great advantages in the execution of the important Trust he is honoured with. The public debts that had accumulated previous to his coming into Office were numerous and the public Creditors exceeding clamorous, they now think that the debts of the longest standing should be first paid. It appears to be Justice but Policy forbids the Measure, when our very Existence as a People, calls aloud that the wheels for the present Moment be kept in Motion.

Our want of Knowledge of the transaction of the Business under the direction of the Secretary for foreign Affairs and the short time he has acted in his Office will we conceive be a sufficient Apology for our saying no more of him at present than that he is a Gentleman of Property and Abilities and appears attentive to Business.

The Confidence that the Commander in Chief and the Army in General has in the Secretary at War, is such, that when we add his knowledge and experience as an Officer his integrity and attention to business, we cannot but flatter ourselves that the Public will receive essential Benefits from his Appointment. In justice to all the aforementioned Gentlemen we must say that they appear to endeavour as much as possible to curtail all useless expences and to appropriate the public Money to the most advantage. But their success so much depends on the exertion and assistance of the States, that they must fail in a great degree in any attempts they may make to retrieve and organize our public affairs, if they are not properly supported by the several Legislatures in the execution of their great and important Trusts.

Since writing the above,[5] the Report of the Committee respecting the Arrangement of the Army, as mentioned in a preceding paragraph, has been agreed to in Congress without any alteration. The Resolutions will be forwarded to you by the Secretary of Congress by this or next post. We beg leave to refer you to the inclosed News Papers for the little public News there is at this time passing.

We have the Honour to be, with the highest respect, Your Excellencys most obed hble servants, William Ellery

Ezek Cornell

RC (R-Ar: Letters to Governors). In a clerical hand, and signed by Cornell and Ellery.

[1] See Maryland Delegates to Thomas Sim Lee, December 4, 1781, note.

[2] That is, of September 13, 1781, in which Franklin had praised the comte de Vergennes' willingness to aid the United States. See PCC, item 82, 2:15–18; and Wharton, *Diplomatic Correspondence*, 4:709–10.

[3] Not identified.

[4] This December 4 ordinance was soon printed by David C. Claypoole and distributed to the states, but no letters of transmittal from either Secretary Thomson or President Hanson have been found. See Evans, *Am. Bibliography*, no. 17,393. For the background, adoption, and revision of the ordinance see William Churchill Houston to William Livingston, December 1, note 1; and John Hanson to the States, January 6, 1782.

[5] See Committee of Congress to Washington, November 28 and December 5, 1781.

[6] Since the "Report of the Committee" discussed in this paragraph was adopted by Congress on December 10, this letter was probably completed on that date. See *JCC*, 21:1163–64; and John Hanson to the States, December 12, 1781.

Georgia Delegates to Baron von Steuben

Sir Philadelphia, December 9, 1781.

We do ourselves the pleasure to reply to your letter of yesterday,[1] and are sorry to understand that the operative powers of the Court are impeded for want of evidence in the case of Major General Howe, on the part of the State of Georgia.[2] We are not informed by the Board of War with the time or conveyance of the summonses sent to General Elbert and Colonel Marbury; and it will appear pretty evident to you, that we have no coercive powers to compel evidence to attend. Under a train of circumstances peculiar in themselves, we cannot presume to dictate to the Court; but if difficulties exist, the propriety of a reference to Congress will readily occur. We annex the names of such persons as have occurred to us since the delivery of those to the Board of War, whose evidence we wish to have taken on the trial, in addition to the former. We are, Sir, Your most humble Servants,

Edward Telfair,

W. Jones.

Colonel Tenant, Major Lucas, Captain Glascock, Major Porter, and Mr. John Gibbons, all of whom are in this city.

MS not found; reprinted from the *Collections of the New-York Historical Society for the Year 1879* (New York: Printed for the Society, 1880), p. 222.

[1] See ibid., p. 221.

[2] The state of Georgia had long held Maj. Gen. Robert Howe responsible for its rapid submission to British invasion in 1778. Within two weeks of the return of the Georgia delegation to Congress on May 15, 1780 (see these *Letters*, 12:297n.2), they presented instructions drafted by the state assembly on January 17, 1780, directing them to "promote a trial" of Howe for "leaving this State at the mercy of the Enemy without any Continental Troops" by hastily retreating from Savannah following its capture on December 29, 1778, and withdrawing troops from Sunbury and Augusta. In an accompanying motion the delegates explained that the instructions had not been submitted sooner "on account of an unavoidable Recess in the Government . . . occasioned by the loss and removal of the Troops." Although there is no mention of the instructions or the motion in the journals, they were apparently referred to a committee, for the motion is endorsed: "Motion from the Delegates of Georgia to bring Genl Howe to a trial, May 1780, passed committee." Perhaps in view of recent British successes in the remaining southern states, the report was allowed to languish for more than a year until a list of pending reports was introduced in Congress on August 23, 1781. The following day the instructions and motion were referred to a committee chaired by Roger Sherman which reported on September 3. After debating the report on September 5, Congress directed the commander in chief "to cause an enquiry to be made . . . as soon as circumstances will admit." See *JCC*, 21:900, 907, 930, 937–38; PCC, item 19, 3:205–8; and Thomas McKean to Washington, Septem-

ber 7, 1781, note 2. The instructions from the Georgia assembly are in the Washington Papers, DLC.

Following the British defeat at Yorktown, Washington transmitted the papers he had received on the Howe inquiry to Maj. Gen. William Heath, wrote to Howe promising to "bring this Unhappy Matter to a speedy issue," and, upon his return to Philadelphia ordered a general court martial to convene at the City Tavern on December 7, Major General Steuben presiding. See Washington, *Writings* (Fitzpatrick), 23:278, 344, 374–75. In the meantime, Howe wrote to Congress on November 8–9 protesting the "Capital disadvantages" he faced in preparing for trial, citing the time elapsed since the event, the loss of relevant papers, and the death and dispersal of fellow officers who could serve as witnesses. He appealed to Congress to order "the few officers which misfortune and accident have thrown into this city" to remain until the proceedings terminated. See PCC, item 160, fols. 523–26. The court martial, which met from December 7, 1781, to January 21, 1782, with a recess for Christmas, ultimately found that Howe had taken measures that "were necessary and military" and therefore acquitted him "with the Highest Honor." Informed of the verdict by Washington on January 23, Congress "approved and confirmed" it the following day. On February 15 Howe appealed to Congress to publish the trial proceedings which, after considerable debate, was agreed to on February 19. See *JCC*, 21:1110, 22:46, 78–80; PCC, item 152, 10:431–32, item 160, fols. 527–28; Washington, *Writings* (Fitzpatrick), 23:461–63; Evans, *Am. Bibliography*, no. 17,772, and *Collections of the New-York Historical Society for the Year 1879*, pp. 215–311. For the Georgia delegates' continued interest in the court's proceedings, see Georgia Delegates to Mordecai Sheftall, January 3, and to Steuben, January 4, 1782.

Samuel Livermore to Meshech Weare

Dear Sir, Philadelphia Decr. 10th. 1781.

I have drawn on you a bill for one hundred pounds at ten days sight. The bill I suppose will be sent by Mr Robert Morris in whose favour it is drawn to Col Langdon for the use of the 74 gun ship he is building.

I have heard nothing about a new choice of delegates in N.H. consequently I take it to be the pleasure of the state that I should stay here 'till the 18th Jany. & then return. If I should hear nothing from you I shall shape my course accordingly. I suppose the above sum will just bring me home.

The State of New York have sent Congress a resolution of theirs by way of protest against the proceedings of congress, in the affairs of Vermont,[1] and as Vermont does not appear to comply with Congress in their resolution of Augt last, I expect the whole work will be to go over again. President Wheelock is here, he professess to have nothing to do about the state of Vermont, but to obtain something for the college.[2] He also says he expected that Vermont would quit their claim east of Connecticut river: agreable to the resolution of Congress.

I am Dear Sir, your friend & most obedt humble servant,

Samuel Livermore

RC (Nh–Ar: Weare Papers).

[1] See William Floyd to George Clinton, December 6, 1781, note 3.

[2] John Wheelock, president of Dartmouth College, presented a petition to Congress on December 14 asking for money to support three Canadian Indians as students at the school. The petition was assigned to a committee headed by Livermore, whose recommendation that Congress deny the request was adopted by Congress on January 8, 1782. See *JCC*, 21:1169n, 22:11–12n; and PCC, item 19, 6:533–36.

James Madison to Edmund Pendleton

Dr Sir Dr. 11th. 1781

I am favored with yours of the 3d instant.[1] Other letters by the same conveyance confirm your report of the election of Mr. Harrison to the chief Magistracy.[2] Several other appointments are mentioned which I make no doubt are all well known to you.

On whatever side Mr. Deanes letters are viewed they present mysteries. Whether they be supposed genuine or spurious or a mixture of both, difficulties which cannot well be answered may be started. There are however passages in some of them which can scarcely be imputed to any other hand. But it is unnecessary to rely on these publications for the real character of the man. There is evidence of his obliquity which has for a considerable time been conclusive.

Congress have not resumed their proceedings on the Western business. They have agreed on a requisition on the States for 8,000,000 of Dollars & a completion of their lines according to the last establishment of the army. We endeavored, tho' with very little effect to obtain deductions in the first article from the quota of Virgina but we did not oppose the aggregate of the demand in either.[3] If we do not obtain a sufficiency of men & money from the States by regular & duly apportioned calls we know by experience that the burden of the war will fall on the resources of the States wch. happen to be [the] subject of it.

Mr. Moore[4] late Vice Presidt. has been elected Presidt. of this State, in place of Mr. Reed whose period of eligibility was out.

I am &c, &c. J. Madison Jr.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 3:328–29.

[1] See ibid., pp. 324–25.

[2] The Virginia delegates had become aware of Benjamin Harrison's election as the state's governor on receiving his letter of December 1, 1781, written on his first day in office, for which see ibid., p. 320.

[3] See Edmund Randolph to Thomas Nelson, November 7, note 5; and Virginia Delegates to Nelson, November 7, 1781, note 2.

[4] That is, William Moore.

John Hanson to the States

Sir, Circular. Philadelphia. 12th December 1781.

Altho' the present aspect of American Affairs is truly favourable and opens to our view the brightest prospects of a glorious peace and the unmolested possession of the invaluable rights we have nobly dared to contend for, yet a relaxation in our exertions will not only be disgraceful, but may prove dangerous and even fatal to our liberties. Congress, on their part, are determined to prevent both the one and the other; and accordingly have thought proper, by their Act of the 10th instant, a copy of which I have the honor of enclosing, to call upon the Legislature of each State, in the most pressing manner, to compleat the Quota of troops assigned to them.[1] The same Act contains several other requisitions, and the whole of such evident magnitude and importance as render it unnecessary to urge any thing more upon the subject.

I have the honor likewise of transmitting to your Excellency a copy of an Act of Congress of the 11th instant, recommending it to the Legislature of each State to ascertian, as soon as practicable, their number of white Inhabitants.[2]

A foundation for equal Justice, on a very important occasion, being the object they have in view in desiring the above information, your Excellency and the Legislature of your State will, no doubt, concur with me in opinion, that the business should be accomplished with all possible accuracy and dispatch.

I have the honor to be, Sir, with great respect, Your Excellency's Obedient & very humble Servant, John Hanson Presidt

RC (PBL). In a clerical hand and signed by Hanson. Addressed: "His Excellency The Governor of Virginia." LB (DNA: PCC, item 16).

[1] *JCC*, 21:1163–64. See also Committee of Congress to Washington, December 5, 1781.

[2] *JCC*, 21:1129–30, 1165.

South Carolina Delegates to John Rutledge

Sir Philada. Decemr. 12th. 1781.

We wrote you the 29th ulto.[1] by Capt. Warley since which nothing material of a publick Nature has occur'd.

By the Arts. of Confedn. The States are to make returns of their White Inhabs. as a ground for fixing their respective Quotas of the United Army, & for levelling the general Expences attending it at a future day. We are therefore of Opinion (altho Congress has not required it) it might be politick for our State to make such a return as soon as possible, whilst our population is at a low Ebb, & We recommend it to your Excellency's Consideration.

A report lately prevail'd that the So. Carolina Frigate was wreck'd on the Coast of Holland, we have the pleasure of informing you, it was without Foundation; having since heard with certainty that Commodore Gillon had put into Corunna in Spain, & was victualling with intention to sail for America, & we hope for his Arrival shortly. 4 other Bales of Wollens are arrivd here from Babut & Labouchere, which we shall forward as soon as possible. We got a friend to pay the Freight, as we are not in a capacity to do it ourselves, but hope to reimburse him out of the Indico we expect to arrive here soon from your Ex.

Congress have passd an Ordinance respecting Capture,[2] intended to Check the increasing Circuitous Commerce with GB. impolitic, as being destructive to our Interests; & affording an Object of Jealousy to our Allies present & future. We endeavour'd to make the Ordinance as far as we were able, consonant to our Interests in points of recapture &ca. There is a prospect of progress in our Spanish negotiations, & we have reason to expect the News of our late success will bring Matters to a Crisis there. We inclose you the papers & have the Honor to be Sir, Yr. Excellency's most Obedt. & very h. Servts.

P.S. Since writing the above a resolution has been pass'd by Congress requiring from each state a return of their white inhabitants as soon as practicable pursuant to the 9th Article of the Confedn.[3]

FC (James S. Copley Library, La Jolla, California). In the hand of Arthur Middleton.

[1] Not found.

[2] See Rhode Island Delegates to William Greene, December 6, 1781, note 4.

[3] See the preceding entry, note 2.

James Lovell to Samuel Adams

Sir Decr. 13th. 1781[1]

I have now to acknowledge the Receipt of *several* of your Letters concerning the affairs of *private Citizens*. I have written fully to Doctr. Warren respecting his Accounts.[2] I have given my Sentiments to Mr. Appleton respecting Mr. Proctor's Business. I have convened with the Financier and Comptrollor respecting Mr. Chase's and Mr. Fletcher's and have communicated to the latter Gentleman sundry Remarks & some Papers.[3]

I was perplexed in the Affair of Warren. Your Letter was much the Cause. I thought you had patronized the Presentment of the Accounts *here* upon Grounds which had not allowed you to consider enough the implied Stigma upon the State of Massachusetts and the Intimates of our deceased Friend Genl. Warren. I find however such Proofs of the Discountenance which Doctr. Warren has met with that I think myself at Liberty to solicit for him *in this Quarter.* I cannot say much in Favor of yr. pressing Mr. Willson's Case forward as any Ways *singular.* He is but one of Thousands. And until the States really furnish Congress with Funds such Applications as his can only give Pain to the Delegates without procuring Relief for the Petitioners. And now, Sir, I wish I was a *private* Citizen that I might have *your* Patronage and *your* Answer to some Points which I am sure I have written upon to you respecting my *individual* Interest. Is there any Resolve of the Assembly of Massachusetts *limiting* the Draughts of the Delegates? Or, more materially still, is there any Provision whatever made respecting their Support here? I have been honoured by repeated Elections. Surely our good Friend G——y[4] was not right when he suspected the old ones were to be *starved* out that a new Set might take their Places, with honourable Appointments. I have more than once or twice been told by real Friends that I had better return if it was only to *settle my Accounts.* An[d] one of my Sons has given an Hint which makes me construe the above advice into a Censure upon the Freedom of my Draughts. By every Proof in my Possession I find that I have not exceeded any one of my Colleagues, *in equal Times;* yet, to all who have settled a considerable Balance has been paid. As to an Adjustment of my Accounts in my Absence one Road is very plain. I have till lately lived with my Colleagues one and another of them. Take the lowest Account of any one of those during equal Periods and decide mine by it, I shall be a gainer, and my Draughts will appear to have been governed by my sheer Necessities. Now that we deal in fixed money the Decission is more simple and limited Permissions to draw may be made with less Implication of Censure than in former Periods. You know how few Things are included in the Term *Boarding* nowadays for which I pay a Dollr. per Day. I will not presume that my other Expences, chargeable to the public, exceed another Dollar, though it would be more much more if I allowed myself all the Decencies & Conveniencies which the State has warranted and would readily repay. As to my Services I am persuaded that I shall receive a better Reward than some of you who settled under the misapprehensions which took Place in estimating a depreciating Paper. Mr. Gerry & Mr. Partridge were allowed 9/ per Day; is Living cheaper than in 1774? Is Connecticut an extravagant, profuse Government? She gave 18/ from the Beginning of Congress, and for about a Year back has given 24/ per day besides all Expences. I have experienced particular Kindness to myself and Family from the State which employs me. I have therefore only to point out Facts to be relieved under my present Disgraces. I owe for Board and the Shoes & Stockings upon my Feet with many other Bills to come out of the Pay for my Time & Services. It is 247 days since I settled my Board in which Time I have drawn for 12000 old Dollars which being paid in 300 new purchased in Boston 60 hard.

I have recd. here 133 on Armands Draught.

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I have drawn for 300 in Augst. which was not honoured in Novr. Thus you see the Balance of my Board, my daily Expences, my decent Cloa[thes] and some Care of a large Fami[ly] in a cold Winter are the Cause of Anxiety upon my Mind at a Time when I assure my public Employment was never more vexatious. The necessity of 7 Voices & 9 in some Cases calls for a full Representation and impartial continental generous Spirits in the Delegations. Alas! alas! When I presented the instructions from the State respecting the Subject of the F——s[2] I thought very little or no objection would me [*be*] made, but I was greatly mistaken. The Proceedings here of 1779 respecting that Business are made Air of. But, I will be more particular in Cyphers in my next to you or to Secretary Avery.

I am called upon to Close, yr. Friend & h Sert,

Jas Lovell

RC (NN: Samuel Adams Papers).

[1] Congress did not meet this day, as the delegates observed "a day of public thanksgiving and prayer" pursuant to congressional resolves of September 13 and October 26. See *JCC*, 21:1166; and Thomas McKean to the States, October 31, 1781.

Also in observance of this occasion, Pennsylvania delegate George Clymer penned the following verses, "A Hymn of Praise—adapted to the Genl. Thanksgiving appointed by Congress 13 Dec. 1781," which are in the Chamberlain Collection, MB.

1. To Thee! High Sovereign of the Skies!
   This day our grateful Songs resound;
From every heart shall incense rise,
   And praise thro' all thy temples sound.
2. Our land a tributary slave
   Doom'd to Rebellion's awful fate;
When heav'n a powerful Monarch gave
   To aid new Pillars of the State.
3. Rais'd and establish'd by thy pow'r,
   Firm props of the Republic's Laws;
Thy Blessings on the people show'r,
   Thine Arm supports th' united cause.
4. Union 'tis God alone inspires;
   Founded by Heav'n, the Fabrics rise;
Th' astonish'd world the work admires
   And owns the council of the skies.
5. New Empires never rise by chance,
   No Gales such high distinctions blow;
Th' All-ruling Judge doth States advance,
   And lays a tyrant-Kingdom low.
6. He forms our General prudent, brave,
   Gives our young Captains warlike skill;

Angelic shields our troops preserve,
  Who scale proud towers with Breasts of Steel.
7. No savage deed distains the sword,
  While Heav'n's taught Chief directs the Host;
Submission hails the joyous word,
  Mercy!—the christian Conqu'ror's Boast!
8. The Memory of thy recent grace,*
  Afresh inspires them for the field:
The Foe shall find renew'd disgrace,
  And fly our shores, or fated!—yield
9. Our fertile Fields thy Favour show:
  With Gifts revolving Moons appear,
Gifts!—that in streams luxuriant flow
  Thy Goodness crown th' auspicious Year!
10. Save us from Fears despondent Sighs;
  Now may our Trust in God be strong,
Till full deliv'rance shall arise
  And heav'n born peace resound the Song.

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* The Surrender of Cornwallis at York in Virginia 19 Octr 1781

[2] Lovell's letter to Dr. John Warren has not been found; but it certainly concerned the settlement of his accounts as guardian of the children of Gen. Joseph Warren. Lovell had consulted on December 3 with Robert Morris about Warren's accounts, and Morris later referred them to the comptroller of the treasury. Morris, *Papers* (Ferguson), 3:316–17n.8, 444–45n.2.

[3] Adams' letters concerning "Mr. Proctor's" and "Mr. Fletcher's" business have not been found, but in his November 22 letter to Lovell, Adams had asked for help in settling the account of Thomas Chase, former deputy quartermaster general. Adams Papers, NN. For Chase's January 31, 1781, petition to Congress, which was referred to the Board of Treasury on February 19, see PCC, item 42, 2:94–95; and *JCC*, 19:160.

[4] That is, Elbridge Gerry.

[5] That is, the fisheries. For the debate on Massachusetts' instructions on the fisheries, the only subject on the journals of Congress for December 12, see Lovell to Elbridge Gerry, November 14, 1781, note 1.

John Hanson to Nathanael Greene

Sir, Philadelphia 14th Dec. 1781

I have the honor of enclosing a copy of an Act of Congress of the 10th instant, calling upon the Legislature of each State, in the most pressing manner, to cause the Quotas of Troops assigned to them to be compleated & in the field by an early day the ensuing Spring.[1] The same Act contains several other salutary and necessary requisitions, by all of which you will readily observe their fixed determination to prevent, as far as their power extends, the danger and disgrace of a relaxation in our exertions at this favourable Juncture of Affairs. The prospect of establishing peace and independence, upon the sacred Basis of equal liberty to all, is more bright at this time than at any period during the War; and nothing seems to be more wanting to compleat our work, than a prudent and skilful management of the great and important advantages obtained by the late glorious events in Virginia and South Carolina.

Your favour of the 21st ult. was received yesterday and laid before Congress this morning. We flatter ourselves that your sensible and very spirited letter to Genl. Gould will be productive of some good consequences,[2] and are very happy to be informed of Leslie's arrival without Troops, as we had some apprehensions, in your present situation, from a measure of that nature. We now most ardently wish for a Junction of Major Genl. St. Clair, with your little but glorious Army. Your's is the first official intelligence we have received of the evacuation of Wilmington.

I have the honor to be, Sir, your most obedient & very humble Servant,

John Hanson Presidt

RC (MiU–C: Greene Papers). In a clerical hand and signed by Hanson. LB (DNA: PCC, item 16).

[1] See Hanson to the States, December 12, 1781.

[2] Copies of Greene's November 21 letter to Congress and his November 9 letter to Gen. Paston Gould protesting "the barbarous custom which prevails in your army of burning houses & desolating the Country" of South Carolina, are in PCC, item 172, 1:313–19.

John Hanson to George Washington

Sir, Philada. 14th Dec. 1781.

It is with infinite satisfaction that I transmit the enclosed copy of an Act of Congress of the 10th instant;[1] as I am satisfied the exertion called for is agreeable to your Excellency's wish and expectation, and if punctually and properly complied with, will contribute in the highest degree to the final attainment of the great and glorious objects we are contending for, and towards which so many judicious and successful advances have lately been made both in Virginia and South Carolina.

With the highest sentiments of respect and esteem I have the honor to be, Sir, Your Excellency's Obedient & very humble Servt.

John Hanson Presid.[2]

RC (DLC: Washington Papers). In a clerical hand and signed by Hanson.

[1] See Hanson to the States, December 12, 1781. Hanson also sent a copy of this resolve with a brief cover letter to Gen. William Heath this day. PCC, item 16, fols. 132–33.

[2] Hanson also wrote a letter to New Hampshire president Meshech Weare on December 15, enclosing a resolve recommending that the state "make up the depreciation" of the pay of James Reed, a blind brigadier general from New Hampshire whose case had originally come before Congress in 1780, for which see *JCC*, 21:1167–68; PCC, item 16, fol. 133; and Samuel Huntington to James Reed, January 5, 1781.

South Carolina Delegates to Benjamin Lincoln

Sir, 14 Decemr. 178

We request you will give a Discharge for Alexr. Robison[1] now prisoner in Lancaster Goal he being a Citizen of So. Carolina wh took Protection from the British & is now willing to comply with late Proclamation of the Governor of that State. We are, Sir, you most Obt. Servts.

Tho Bee Jno Mathews } Delegates of
A Middleton Isaac Motte } So. Carolina

RC (DLC: Peter Force Miscellany). Written by Bee and signed by Bee, Mathews Middleton, and Motte. Endorsed by Lincoln: "You will cause Alexr. Robison to be se at liberty."

[1] Not identified, but perhaps a member of the Robinson family that migrated from Virginia to South Carolina prior to the war, for whom see the *Bio. Dir. of S.C. Hous* 3:614–15.

William Floyd to George Clinton

Sir Philadelphia Decbr. 15th. 1781

Your Excellencys Letter of the 3 Instant by Judge Smith is Come to hand, and I have attended to its Contents.[1] Mr. Milligan, th Controler of Accounts informs me that the Financier has Directed that all accounts of that Nature (as there is not money to pay them Should be Registered in the Books of the Controlers office, if they have Been properly Setled, Bearing Interest from the time they became Due.

Therefore, if the Account you mentioned, has been Settled by Colo Trumbull who was appointed to Settle all his Brothers accounts, his Certificate, Ascertaining the Balance, and the time it became Due, will be Entered in the manner above mentioned And tho' this will not Soon procure the money, Yet I think it Effectually Secures the Debt with Interest.

Colo. Trumbull is Gone to Connecticut where I expect he will Spend most of the Winter, if the Certificate which you have got, is not a proper one your Excellency can take the Necessary Steps for procuring one that is So, And if you will Send it to me, I will See that the Entry is properly made.

I am in hopes to procure the powder mentioned in your former letter, and get Some mode adopted for the Settlement of our Agents Accounts.

With the Greatest Regard and Esteem, I am Sir your Most obedt. and humble Servt. Wm. Floyd

RC (N: Clinton papers).

[1] In his December 3 letter to Floyd, Governor Clinton had asked assistance in obtaining settlement of an old account pertaining to his purchase in 1776 of 5,000 bushels of wheat "for public Use," for which he had used his own funds. See Clinton, *Papers* (Hastings), 7:535–37.

Georgia Delegates to John Jones

Sir, Philadelphia 15th Decemr. 1781.

We did ourselves the pleasure of writing you the 12th instant,[1] and since that Period nothing has occured.

We have been able to obtain a Resolution (at length) for three hundred Stand of Arm's &c,[2] and we are hopeful the Secretary at War, will take the most effectual measures to forward them to the State. The Clothing is not yet arrived, when that is the case, it will cause a second application, and you shall be informed with the result of it.

We are Sir, Your mo Obt. & very hble. sts.

Edwd. Telfair

N W Jones

RC (NcD: Telfair Manuscripts). Written by Telfair and signed by Telfair and Jones. Addressed: "The Honble. John Jones Esqr., Speaker of the Assembly, State of Georgia."

[1] Not found.

[2] See *JCC*, 21:1169–70.

John Hanson to George Washington

Sir, Philadelphia 17th. Dec. 1781.

In answer to your favour of this day, I beg leave to inform your Excellency, that the Resolutions you allude to, were transmitted to Genl. Greene, by Express, on Saturday last;[1] and that it is the desire and expectation of Congress that the Returns of the Troops composing the Southern Army should be called for by your Excellency, and forwarded to the Executives of the States to which they respectively belong.

I have the honor to be, with the highest respect, Your Excellency's Most Obedient Servant John Hanson Presidt.[2]

RC (DLC: Washington Papers). In a clerical hand and signed by Hanson.

[1] See Hanson to Nathanael Greene, December 14, 1781. Washington's letter to Hanson is in Washington, *Writings* (Fitzpatrick), 23:393–94.

[2] President Hanson's circular letter to the states of this date, "urging them to comply with the requisitions for men and money," is printed in the journals at *JCC*, 21:1174–76.

Joseph Jones to James Hunter

Dr. Sr. Phila. 17th. Decr. 1781

This will I expect be delivered you by Anthony who goes to Virginia upon some private concerns of mine and will soon return to this place. He carries a Letter to Mr. Waugh respecting the sale of one of John Dawsons Negro Men and shall be glad you wod. advise Mr. Waugh whether Tobacco or Cash wod. be most acceptable to you as a reimbursement towards the advances made by Mr. Swan on John Dawsons account, and he will endeavour to procure that which will be most convenient. The Tobaccos due to the Estate this winter will be ordered into your hands for the same account. I received some time ago a certificate from you of 1333 1/3 dols. issued from the loan office of the State of Maryland not the continental but State office which not being of the Description I was to receive I think it proper to apprise you of it, least any inconvenience should result from its lying with me. If I have an opportunity I will endeavour to obtain a certificate for the interest due on it, which with the one I have if they will not answer my purpose I shall retain or deliver to your order.[1]

We are in this quarter as free from the irruptions of the Enemy at New York as if we were at peace—no military movements and only now an[d] then a few Thieves who come out to Steal Horses or Cattle and these frequently catched with their booty before they can get back. A packet has lately arrived at N. York which has delayed the sailing of the fleet in which it is said Cornwallis and Arnold go to England. The misfortunes which have attended the Enemy in all parts during the last Campaign afford us some room to hope something may be done this winter towards a peace but I fear nothing final, as Britain will strain every nerve to raise the supplies for another year in hopes something may turn up in her favor in the course of an[othe]r Campaign. Let her course be what it may, ours should be to prosecute the war and being in condition to do so, will be the best and surest means of procuring peace upon good terms and also of hastening that desirable event. Adieu. Yr. aff Sevt,

Jos. Jones

RC (ViU: Hunter-Garnett Papers).

[1] At this point in the manuscript Hunter noted: "These I never reced back."

James Lovell to Nathanael Greene

Sir Decr. 17. 1781

Your Letter of Novr. 21st has reached me; and agreably to yr. Wish I shall continue, what I had already undertaken, to endeavour to explain to Majr. Burnet[1] what may aid him in the Practice referred to in your above mentioned Letter.

Our Friend Adams now in Holland will be very singularly pleased & assisted by your Communications and you may be assured of my Care in forwarding them.[2] The Enemy are bragging in New York that they have a *Vauban* now at Charlestown. I suppose tis Montreseur. They think they have nothing to fear without you are aided by Ships. I wish your Prospect of that Aid was a nearer one than it is. For I feel more interested in your Fame & Glory than meerly as an individual Citizen of that union for which you have so nobly fought.

My Son[3] was not well some Time ago, nor did I hear from him by your Express now. I fear he is under a Relapse. I pray you to put the inclosed in a Road to reach him where he may be posted. I know him more by the *Commendations* of his superior officers and by those of such as I have been accustomed to think very judicious Men than by my own Observations not having had the Pleasure to be much with him. I therefore leave him wholly to the Chances which his own Conduct will give him under the Eyes of a humane, just and sagacious Chief, in the Department where Duty has called him.

We have Nothing material and at the same Time authentic from abroad.

Your Friend & humble Servant, James Lovell

RC (MiU–C: Greene Papers).

[1] That is, Robert Burnet, an aide to General Greene, who served as Greene's spokesman in Philadelphia. Morris, *Papers* (Ferguson), 2:267n.2.

[2] Lovell undoubtedly simply forwarded copies of Greene's correspondence with himself and Congress, rather than letters from Greene to John Adams, because in a January 28, 1782, letter to Adams, Greene wrote of renewing their correspondence, which "has been long broken off." Bernhard Knollenberg, ed., "The Revolutionary Correspondence of Nathanael Greene and John Adams," *Rhode Island History* 1 (July 1942): 82–83.

[3] That is, James S. Lovell.

Abraham Clark to John Mehelm

Sir, Philada. Decr. 17 [*i.e.* 18]. 1781[1]

Your favour of the 10th to me, and of the 15th to the Delegates enclosing your instruction were recd. yesterday by Mr. Covenhoven. The instructions were laid before Congress, and the matters therein urged are referred to a Committee and will be duly attended to.

Upon receiving the instructions relative to the Islands on the Bay & River Delaware; the applications we were directed to make, we all understood was for a Settlement of boundaries agreable to the Confederation; and being informed by the Delegates of Pennsyla. & Delaware that such an expensive mode of Settlement might be avoided, as their states would gladly come into the measure. This Occasioned our delay at that time, and also my Letter at the first meeting of the Legislature.[2] Hearing nothing from you for some weeks, we determined to proceed on the business, which I took the liberty to inform you of by Letter;[3] but in taking the business up we found ourselves at a loss to discover the real wish & intentions of the Legislature, as the applications directed were different from the mode pointed out in the Confederation for Settling boundaries. This Mr. Houston engaged to inform you of; we never once conceived a thought that you doubted your Right to the Islands Contiguous to our Shore untill meeting with Mr. Trent a few days ago, he informed me of your doubts in that respect, which Are confirmed by your Letter of the 10th.

We[4] shall at all times pay due respect & attention to any instructions we may be charged with, at the same time think it our indespensible duty to advise you of the difficulties that may probably arise in the prosecution. If a Title to the Islands & a line of Jurisdiction is all that the Legislature had in view, they will I presume be Sattisfied by Mr. Covenhoven that the business can only be effected by Joint concurrence of the states concerned without any interference of Congress. It is however Suggested that your Real Designs were to establish a precedent for Congress to dispose of all Unappropriated Crown Lands in the several States. This I cannot believe was had in Contemplation by you, as we had no intimations of it, but whether true or false will be a most effectual barr to our Obtaining any grant, for the following Reasons: Most of the states having within their Claims large quantities of unappropriated Lands, will not agree that Congress shall exercise such a Right unless it be over such Lands as shall be Ceeded; and if our Application should be considered as a Cession of our Claim to the Islands, they will if they do any thing Sell them at full Value, in which we shall by our Application lose what we have a just Right to by the Law of Nations, and Settle no preceedent to our Advantage, which you may be assured will be carefully guarded against. Congress is now Represented by only Nine states, the jealousies that will arise on an Application for a grant will influence most of the states to Oppose it on every political principle—seven States are Necessary to concur in every question of the smallest moment—in all wherein there is any Appropriation Nine states must concur; What chance have we then in the present Case?—none that I can see but the loss of what we have an indubitable Right to, and which we have in our power to hold the peaceble possession of.

As the business before Congress will not at present and for some days to come, admit a consideration of this matter, we can readily comply with Mr. Covenhovens desire to let the matter rest for a few days till you can be informed of the above and such other matters relative thereto as he will be able to communicate.

I have the honour to be with all due Respect, Sir, Your Obedt. Humble Servt. Abra. Clark

P.S. I wish this Representation might be communicated to the Council.

RC (Nj: State Papers). Addressed: "Honorable John Mehelm Esqr., Speaker of the Assembly."

[1] Although dated "Decr. 17," Clark probably wrote this letter on the 18th when the congressional action described in the first paragraph took place. Mehelm's December 15 letter to the New Jersey delegates directing them to seek Continental military action against Loyalist raiders in New Jersey was endorsed by Secretary Thomson: "read Decr. 18, 1781. Referred to the comee appointed to confer with the comr. in chief." See *JCC*, 21:1179n; and PCC, item 68, fols. 587–90.

[2] See Clark to Mehelm, October 23, 1781.

[3] Not found.

[4] The New Jersey delegates in attendance at this time were Clark, Silas Condict and William Churchill Houston. Although Edmund C. Burnett conjectured that Houston left Congress about December 14 (his name does not appear on a roll call vote of December 19), Houston later explained to New Jersey judge Robert Morris that he had left Congress on December 24, the day Jonathan Elmer took his seat under the new November 2 election of New Jersey delegates. See Burnett, *Letters*, 6:xlviii; *JCC*, 21:1180, 1182; and Houston to Robert Morris, January 15, 1782, Morris Papers, NjR.

Samuel Livermore to Meshech Weare

Dear Sir, Philada. Decr. 18th 1781.

I recd. yours of the 4th instant with the papers inclosed which I this day laid before Congress (except those which contain the Maneuvers of Vermont Assembly at Charlestown, which congress were already possessed of). Congress appointed a comtee. of five to take them into consideration and report.[1] Every member of Congress but one appeard in our favour & against Vermont as far as I could judge. Nevertheless I do not pretend to predict the measures that will be taken. The labouring oar I think is on congress to support their own honour, dignity and authority. I wish to keep it so. I shall farther advise of what may turn up.[2]

I am with great esteem your most obedt. servant.

Samuel Livermore

best copy available

[*P.S.*] President Wheelock is here & professes to have no hand in politicks but is trying to get contributions for his indian school &ca.[3] The resolutions of Vermont were brot to Philada last week by one Mr Brunson a counsellor as I understand of that state.[4]

RC (Nh–Ar: Vermont Controversy).

[1] For Weare's December 4 letter, read in Congress and referred to committee this day, see *JCC*, 21:1179n; PCC, item 40, 2:137–40; and *N.H. State Papers*, 10:468–70.

[2] See Livermore to Weare, January 8, 1782.

[3] See Livermore to Weare, December 10, 1781, note 2.

[4] That is, Col. Timothy Brownson of Sunderland, Vt., a member of the Vermont governor's council since 1778. See Walton, *Records of Vermont*, 1:238.

Rhode Island Delegates to William Greene

Sir Philadelphia, Decem'r 18th, 1781.

We do our selves, the honor to inform your Excellency, that since our last, Congress has received a letter from the Governor, of the State of Vermont; Inclosing a number of Resolves, of a grand committee, of both houses of assembly, and Acts or Laws of Said State;[1] Declaring the Acts of Congress, of August last respecting said state, do not comport with the propositions made to Congress by their Commissioners in July last; That no member of the Legislature, shall on any pretence whatsoever give his Vote, for submiting the determination of their right of Independance, to any power on Earth; That all disputes about Territorial or boundary lines, shall be settled by judicious, unprejudiced persons, to be Mutually agreed upon and chosen by the parties concerned, and that the states Interested shall pledg their faith to each other, to abide the determination of the Commissioners, appointed as aforesaid. That when all disputes, are settled, according to the mode pointed out in the afore mentioned Resolves, And the state is legally admitted into the Union, they will consider themselves bound by acts of Congress.

The Superintendant of Finance has presented to Congress, an Ordinance, for ajust'g and setling, the Accounts of the United states with each Individual state &c. It has been read, and is committed, to a special Committee, they now have it under consideration.[2] We shall only mention some of the principal paragraphs. First, that a member from each state, be chosen to meet in the City of Philadelphia, on the first Monday in May next, then and there, to settle the proportion, that each state shall pay, of all the expence that the United states hath been at, from the commencement of the War, to the first day of January 1782, except the moneys that have or may be funded before that time. Secondly that there be a Commissioner for each State, to be nominated by the superintendant of Finance, and approved of by the Legislature of the state, for which he is appointed; Whose duty shall be to settle all accounts between such state and the United States according to the orders he may receive from the Comptroller &c. Thirdly the Act of the 18th March 1780 and all the preceeding and succeeding Resolutions for Money and supplies to be fully complied with; by each State. And where it shall be found on settlement of the Accounts, that any state paid more than such states proportion, in that case such state, shall have a deduction in the next requisition. We flatter our selves you will excuse us for not being so particular on this subject, The ordinance has not passed and probably will under go some Alterations. We only wish this to inform you of what is doing.

We have the honor to be, your Excellencys most obedient Humble Servants,

William Ellery

Ezek. Cornell

RC (R-Ar: Letters to Governors). Written by Cornell and signed by Cornell and Ellery. Staples, *Rhode Island*, pp. 361–62.

[1] Vermont governor Thomas Chittenden's November 20 letter enclosing proceedings of a legislative committee meeting at Charlestown, October 16–19, was read in Congress on December 12. See *JCC*, 21:1166n; PCC, item 40, 2:65–75, 119–20; and John C. Williams, ed., *The Public Papers of Governor Thomas Chittenden* (Barre, Vt.: Secretary of State, 1969), pp. 552–60.

[2] Robert Morris' proposed ordinance was read in Congress on December 11 and referred to a committee of which Ezekiel Cornell was a member. PCC, item 186, fol. 6. For Morris' proposals and a discussion of Congress' response, see Morris, *Papers* (Ferguson), 3:357–63.

Virginia Delegates to Benjamin Harrison

Sir Philadelphia Decr. 18th. 1781

At the request of Baron Steuben, a letter from him to your Excellency is herewith inclosed.[1]

The paper from the Secretary of War to Congress also inclosed is an answer to the two Resolutions of the General Assembly transmitted to us by your Excellency which were referred by Congress to the Departments of War & finance.[2]

A Representation to the States on the subject of the late requisitions for the ensuing year agreed to yesterday in Congress is likewise herewith transmitted.[3] It could not be authenticated for the reason applied in our last[4] to the Resolutions relating to the completion of the Military Establishment. As soon as it has passed the last formality in Congress it will be transmitted by the President.

We have thought proper to add to the other inclosures a table for the payment of loans to the U.S. computed under the direction of the late Treasury Board in pursuance of the Act of Congress on the

28th of June 1780 on that subject.[5] It will probably be of service in fixing the value of the depreciated currency advanced at different periods by Virginia to the U. States.

The letter to Mr. Ross[6] relates to Sundry Slaves the property of some Gentlemen of the State of S. Carolina the meritorious sufferings of whom will sufficiently recommend what concerns their interest to your Excellency's care & attention.

We have the honor to be with the highest respect & esteem, Yr. Excell'y's Obt. & humble servts.
J. Madison Jr.

Edmund Randolph[7]

Jos. Jones

P.S. We are obliged by arrival of the hour for the post to omit the representation which we expected wd. have been ready for us.

RC (PHi: Dreer Collection). Written by Madison and signed by Madison, Jones, and Randolph.

[1] For the draft of this December 13 letter to Harrison, see the Steuben Papers microfilm edition, DLC.

[2] For the "two Resolutions" of the Virginia assembly concerning impressment of provisions for British prisoners in Virginia and the state's inability to furnish such supplies, which were transmitted to the delegates in Harrison's letter of December 1, see Madison, *Papers* (Hutchinson), 3:319–20. They were referred on December 11 to the superintendent of finance and secretary of war, the latter of whom reported the following day that the Convention Army prisoners, at least, would "in a few days be removed from Winchester to Frederick. I am authorized to assure Congress that contracts will be made for their supply." See *JCC*, 21:1165n; and PCC, item 75, fols. 351–52.

[3] A reference to President Hanson's December 17 circular letter to the states, for which see Hanson to Washington, December 17, 1781, note 2.

[4] Not found, but apparently a letter of December 11.

[5] For an illustration of this table, see these *Letters*, 15:383.

[6] Not found.

[7] Randolph also sent the following note of December 20 to Philadelphia merchant Samuel Garrigues: "Be pleased to fill the carboy, now sent, with the same kind of wine, with that formerly furnished. I wish to know the amount of my account with you. Altho' it is not perfectly convenient for me to discharge it immediately, yet if you desire it, I will pay it off." Society Collection, PHi.

John Hanson to George Washington

Philadelphia. 19th. Dec. 1781.

Sir,

I have the honor of enclosing a Report of the Secretary at War on a letter from Brigadier Genl. Irvine at Fort Pitt, which Congress have referred to your Excellency to take order upon.[1]

With sentiments of the highest respect and esteem, I have the honor to be, Sir, Your Excellency's Most obedt. humble Servt.

John Hanson Presidt.

RC (DLC: Washington Papers). In a clerical hand and signed by Hanson.

[1] Hanson enclosed a December 3 letter to Congress from Gen. William Irvine and a December 18 report from Secretary Benjamin Lincoln on Irvine's letter, which are in the Washington Papers, DLC. Irvine, recently appointed commander at Fort Pitt, had recommended that the fort, which was in a lamentable condition, be abandoned in favor of a new site four miles down the Ohio River, but Lincoln had found his reasons unconvincing and opposed the move. In a December 21 letter to Irvine, Washington sided with Lincoln, explaining that "I have concurred in opinion with the Secretary at War, and must therefore desire you to follow the measures recommended by him [*i.e.*, 'in repairing the Old Fort and the Block House']." Washington, *Writings* (Fitzpatrick), 23:402–3.

There is no mention of this matter in the journals, but Irvine's letter to Congress is endorsed by Charles Thomson: "Read 14th. Referred to the Secretary at War." For Irvine's correspondence "concerning military affairs in the West" at this time, see also Consul W. Butterfield, ed. *Washington-Irvine Correspondence* (Madison, Wis.: D. Atwood, 1882), pp. 153–68.

Oliver Wolcott to Jonathan Trumbull, Sr.

Sir *Private* Philadelphia 19. Decr. 1781

Your Excellency will soon receive the Requisition of Congress upon the State to compleat their Battalions agreably to the last military Establisht. and also that the Recruits be mustered in one or more Places in the State, and supported by it in their march to the Army.[1] The Address to the Legislatures pointing out the necessity of complying with the pecuniary and military Aid required, will also be received.[2]

The Superintendant of Finance is endeavouring to contract for Supplies for the Stationary Troops, I hear that he has contracted for Supplies for the Garrison at West Point that they shall be furnished at 9 1/2d for each Ration in Pennsylvania money.[3] He also intends as farr as possible to Obviate the Necessity of Maintaining issuing Posts.

The Mode for setlling State Accounts is not yet determined upon; it is under the Consideration of a Committee.[4]

An Act ascertaining consular Powers is nearly finished, but can have no operation till it shall be agreed to by France.[5]

A Plan for reducing a number of Officers or rather putting them upon half pay, who are considered as supernumerary especially the General Staff, is in Contemplation, and will probably take Effect.[6]

Our latest Accounts from the Southward are that the Enemy have Abondoned their Post at Willmington and all their out Posts in S Carolina that Genl. Leslie has gone to Charestown, but that he has not carryed any Troops.

I hope that our late Successes nor A Dependence on Others will induce us to relax our military Exertions, As the Experience of Ages must convince us, that an Enemy in every Circumstance is to be

Vigilantly Watched and Strenously Opposed, and that a Nation who rely upon the support or yeild themselves to the guidance of another are in the utmost Danger.

Mr Law is well—But as nothing has Occurrd which renders an Official Letter necessary, I have taken the Liberty to give an Account of the affairs of the Day for your Excellencys personal Information—In doing which I ought to have mentiond that Genl. Washington is yet in this City but I am told that he intends soon to go to the Hudson. I am with the highest Esteem, your Excellencys Most Obedt Servant, Oliver Wolcott

P.S. I have sent to your Excellency a Stating of the claims of the Indiana Company, which may not only be a Subject of Amusement, but afford some useful Information, if the Susquehannah Cause Shall be brought to a Tryal.

RC (Ct: Trumbull Papers).

[1] See John Hanson to the States, December 12, 1781.

[2] See *JCC*, 21:1174–76.

[3] For the superintendent's West Point contract, see Morris, *Papers* (Ferguson), 3:342–48.

[4] See Rhode Island Delegates to William Greene, December 18, note 2.

[5] See John Hanson to the States, January 27, 1782.

[6] As part of a plan to reduce supernumerary officers, Congress this day established a procedure for assigning general officers to field duty or half-pay status and on December 31 adopted a plan to retire officers not attached to a specific state line or separate Continental Army corps. See *JCC*, 21:1179–81, 1186–87, and the following entry, note 1.

John Hanson to George Washington

Sir, Philadelphia 20th Dec. 1781.

I have the honor to inclose a copy of an Act of Congress of the 19th inst. for your Excellency's information;[1] and am, with great respect, Sir, Your obedient & very humble Servt.[2]

John Hanson Presidt.[3]

RC (DLC: Washington Papers). In a clerical hand and signed by Hanson.

[1] The enclosed resolve merely directed Washington to inform the secretary at war of "the number of general officers which he shall judge necessary to be in the field, in the main and seperate armies," and left to Secretary Benjamin Lincoln the more difficult task of selecting the specific general officers who would remain on active duty, as the remainder would be placed on half pay. *JCC*, 21:1179–80. The resolve was adopted upon the recommendation of "The Committee appointed to confer with the Commander in Chief." PCC, item 19, 6:375–76.

[2] This day Washington also received two additional congressional resolves, but apparently from Daniel Carroll, chairman of the committee appointed to confer with Washington, rather than Hanson, although no letter of transmittal has been found. These resolves, both of which are in the Washington Papers, DLC, requested Wash-

ington to take steps to procure the exchange of North Carolina governor Thomas Burke and to investigate "the powers and conduct of . . . the board of directors to the associated loyalists in New York." *JCC*, 21:1181.

For the steps he took to investigate the Board of Associated Loyalists, whose depredations had been protested in a December 15 letter from the New Jersey Assembly to the state's delegates in Congress (PCC, item 68, fols. 587–90), see his letters of December 24 to Carroll and of December 27 to Hanson in Washington, *Writings* (Fitzpatrick), 23:404–5, 407–9. Concerning Governor Burke, whose exchange Washington immediately referred to commissary of prisoners Abraham Skinner, see ibid., p. 401.

[3] Hanson also wrote this day to Richard Peters, "late commissioner of the Board of War," enclosing a resolve of the 17th thanking him "for his long and faithful service." See *JCC*, 21:1172–73; and PCC, item 16, fol. 135.

South Carolina Delegates to John Ross

Sir, [December 21? 1781][1]

Please pay Messrs. Stewart & Totten Fifty Nine Pounds 14s 7 1/2 Pensylvania Currency for so much advanced by them to pay the freight of Eight Bales of Merchandize imported from France for the State of So. Carolina, & charge the same to Acct. of said State.[2]

Jno. Mathews[3] Tho. Bee
A. Middleton Isaac Motte
Ns. Eveleigh

RC (NNS). Endorsed: "Recvd Decr 21, 1781, the within sum of fifty nine pounds 14/7 1/2 in full for Stewart & Totten. Benj. Morris." Also endorsed by another hand: "£59.14.7 1/2 paid by order on Accot of the State of So Carolina—21 Decemr. 1781. No 3."

[1] See endorsements.

[2] This day the South Carolina delegates also wrote a brief note to state agent Ross asking him at "four months after date please to pay to Dr. Budd or his order Two Hundred Silver Dollars," which according to his endorsement, Budd received on January 8, 1782. Middendorf Deposit, MdHi. On December 24 the delegates also wrote two notes to Ross asking him to pay "Twenty Spanish milled Dollars" each to Thomas Smith and William Stone, respectively, pilots "detained here by Order of Governor Rutledge." Fogg Collection, MeHi, and C. C. Jones Collection, NNPM. See also South Carolina Delegates to Ross, December 29, 1781.

[3] The delegates' letters of this day were the last signed by John Mathews, who returned almost immediately to South Carolina in answer to an appeal from Gov. John Rutledge who had set January 8 as the date for the newly-elected assembly to convene and stipulated that "the presence of one of our delegates, *as soon as the House meets*, is absolutely necessary." It was this assembly that elected Mathews governor on January 29, 1782. See *South Carolina Historical and Genealogical Magazine* 18 (October 1917): 163, 167.

George Partridge to Elbridge Gerry

Dear Sir Philadelphia Decr. 22d. 1781

I understood, by a Gentleman who arrived here from Boston some months ago, that it was your Design to be at Phila. this Winter; and I hoped, for several reasons that it would be the case; but the season for Journeying being over, I expect you will defer the matter till spring when I may chance to see you at Boston before you set off, as I intend to be there by the first of April.

The States have been very thinly represented during the Summer and fall tho' enough have been here to do some things which I believe you will judge not very honorable or advantageous to the U.S. and here I should be glad to be particular if the conveyance of Letters was not so very precarious. Whither Mr. A[1] will take a part in the Commission I am not informed but fear he will not, as he is not very fond of *leading strings*. A Letter lately receivd. from Mr. J[2] gives us his Sentiments on the Subject which appear to me rational and independant. I presume that you have seen Genl. Ward since he returned, & must know what I allude to.

Everything which relates to the old money lies dormiant. The Superintendant (on whom much depends in this case) says that he shall insist on the plan of the 18th March, and when the several States have sunk their Quotas of the old money nominally, he shall promote a plan for doing Justice to those States who were early in doing their duty, & tho' I think him to be honest in his intentions, yet it appears to me very uncertain whither he will Affect his purposes.

You have doubtless been informed that Genl Lincoln has accepted the Office of Secretary at War. Congress passed a Resolution Yesterday[3] which put a piece of Business into his hands that will not, I believe, be very agreeable to him. The purport of the Resolution is that the Commander in Chief shall signify to the Secretary at War from time to time the number of Genl. Officers which he Judges necessary to be in & take the field, and the Secretary shall issue his orders to such as he thinks proper, the remainder to be considered as retiring on half pay, Subject however to be called into service when occasion requires. How this measure will suit the Genl Officers is uncertain, tho' I am told there will be no great difficulty about the matter.

I wish you would be so kind as to inform me when you expect to be here, & whether Mr. Adams or either of our Brethren is coming on soon.

I am Sir with great esteem your most obedt. Huml Servt.

Geo Partridge

P.S. Be so good as to make my best Compts. to your Brethren & my friend Colo Orne & Family.

RC (NN: Gerry-Townsend Papers).

[1] That is, John Adams.

[2] That is, John Jay, whose September 20, 1781, letter to President McKean, had been read in Congress earlier in December. See PCC, item 89, 1:369–76; and Jay, *Papers* (Morris), 2:104–6, 119.

[3] Congress had actually passed this resolve on December 19, rather than December 21, which would have been "yesterday" if Partridge wrote this letter on December 22. See *JCC*, 21:1179–80.

Samuel Livermore to Meshech Weare

Dear Sir, Philada. Decr. 25. 1781.

Whishing you a merry Christmass &ca &ca.

These are to acknowledge the recipt of your favour of the 10th instant with the papers enclosed. I shall lay them before Congress:[1] And inform you of the success they meet with. If nothing extraordinary should happen to prevent I intend to set out for home three weeks from this day.

I am Sir, your most obedt Servt. Samuel Livermore

RC (PHi: Etting Collection).

[1] Livermore was undoubtedly referring to Weare's letter of December 10 enclosing several documents related to the New Hampshire-Vermont border dispute and a 1775 New Hampshire census, which Weare thought should support a reduction of the state's Continental quotas. *N.H. State Papers*, 10:470–71. This letter is not in PCC, but another of the same date to Pres. John Hanson, concerning New Hampshire's "Deficiencies of Representation in Congress" and endorsed by Secretary Thomson "Read Decr. 24. 1781," is at item 64, fols. 210–13.

James Madison to Edmund Pendleton

Dear Sir Philada. Decr. 25th. 1781.

You only do me justice in ascribing your disappointment in the post of the week preceding your favor of the 16th instant,[1] to some other cause than my neglect. If I were less disposed to punctuality your example wd. preserve me from transgressing it. As the lost letter went into the post office here & you did not receive [it] from the post in Virga. the delinquency must [have] happened in that line.[2] It is however I believe of little consequence, as I do not recollect that any thing material has been contained in my letters for several weeks, any more than there will be in this in which I have little else to say than to tender you the compliments of the day. Perhaps indeed it will be new to you what appeared here in a paper several days ago, that the success of Commodore Johnstone in taking 5 Du[t]ch E. India men homeward bound & destroying a 6th is confirmed. Whatever may be thought of this stroke of fortune by him & his rapacious crew, the Ministry will hardly think it a compensation to the public for the danger to which the remains of their possessions in the East will be exposed by the failure of his Expedition.[3]

It gives me great pleasure to hear of the honorable acquittal of Mr. Jefferson. I know his abilities, & think I know his fidelity & zeal for his Country so well, that I am persuaded it was a just one. We are impatient to know whether he will undertake the new service to which he is called.[4]

I am Dr. [Sir] Yrs. affectionately, J. Madison Jr.[5]

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 3:337–38.

[1] Not found.

[2] Madison's letter of November 27 was apparently late in arriving.

[3] The "failure" of Sir George Johnstone to reach the Cape of Good Hope before a French fleet was partially offset by his capture of Dutch merchantmen at Saldanha Bay, which was reported in the *Pennsylvania Packet* of December 22, 1781. See also William M. James, *The British Navy in Adversity* (1926; reprint ed., New York: Russell and Russell, 1970), pp. 381–86.

[4] Pendleton had apparently informed Madison that the Virginia assembly had acquitted Thomas Jefferson of charges brought against him for his conduct as governor during the British invasion of May–June 1781, for which see Jefferson, *Papers* (Boyd), 6:133–37. Jefferson, who had been appointed by the assembly a delegate to Congress, wrote to decline to "undertake the new service" on December 19. Ibid., p. 137n.

[5] For Madison's expense account for the quarter September 20 to December 20, 1781, which he sent to the Virginia Auditors at about this time, see Madison, *Papers* (Hutchinson), 3:333–35.

South Carolina Delegates to John Ross

Sir, Philadelphia 29th Decr. 1781.

Please to allow Majr. Alexr. Moultrie room, in the waggons sent here on account of the state of South Carolina, for Five hundred weight of baggage, he to be accountable to the State for the same.[1]

A Middleton Tho. Bee
Isaac Motte Ns. Eveleigh

RC (PHi: Gratz Collection). Endorsed: "The within Room allow'd. A. Moultrie."

[1] Alexander Moultrie (1750?–1807) was among the released prisoners from St. Augustine then in Philadelphia who sought space on the 19 wagons that had brought indigo to the city to be sold for support of the South Carolina delegates and that was

returning to the state with sundry supplies, medicine, and arms obtained by agent Ross. See the *Bio. Dir. of the S.C. House*, 3:515–17; and the *South Carolina Historical and Genealogical Magazine* 18 (October 1917): 163–65. The delegates also sent a brief note to Ross on January 7, 1782, asking him to pay George Redhead "Two Hundred Silver Dollars & charge the same to the state of South Carolina." Emmet Collection, NN.

John Hanson to Thomas Sim Lee

Dear sir, Philadelphia Jany 1st. 1782

Congress have Just received intelligence from New York, that Gen. Leslie had wrote to Sr Harry that unless he sent him A reinforcement, he should not be Able to Keep Charles Town, in Consequence an embarkation of about 1100 men had taken place.[1] I have inclosed you the packet of this day. Am in hopes that the Account in the Annapolis paper of St Eustatius And St Martins being taken by the French will prove true. Soon after my Arrival here in the fall I received orders from Mr Mollihon for Some money payable at different periods promising him at the same time that if it Should appear that there was not So much due from him that I would not Call for the payment of those orders, which were payable the 1st this month And the 1st February. Mr. Mollihon was with me this morning and by his Account the State owes him near £500. My relying upon those orders induced us to engage to pay money which I am not able to Comply with. Mr. Carroll I believe is in the Same situation. I hope your Excellency and honors will as Speedily as possible relieve us from so disagreeable a Situation. Tobacco Such as has hitherto been Sent will not net £5 a hhd. Flour of a good quallity if it Could be Sent immediately might Answer. I wish you A happy new year. And Am with much esteem And regard, Your Excellencys most humble Servt, John Hanson

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] See Virginia Delegates to Benjamin Harrison, this date, note 1.

Samuel Livermore to Meshech Weare

Dear Sir, Philadelphia Jany. 1 1782

I wish you a happy new year. Nothing material has turned up here since my last. I hope to have something to write by next post. I am anxious to hear the event of Genl Nicholls expedition. The Vermonters are very turbulent about Hudsons river and a strong suspicion of their being in League with the Brittish you will hear more in my next, if brot to any head in Congress.[1]

Your most obedt Servant. Samuel Livermore

RC (Nh–Ar: Vermont Controversy Collection).

[1] See Livermore to Weare, January 8 and 21, 1782.

Virginia Delegates to Benjamin Harrison

Sir Philada. Jany. 1st. 1782

A Letter from Genl Heath[1] who commands the army on the North River, dated the 26th Ulto. informs Congress that an intelligent person from N. York had reported to him that an embarkation of troops was taking place there, that he saw a part of them going on board, and a number of dragoon horses hoisted into the vessels, that he was told by a Captain with whom he was well acquainted that Genl Leslie had written to Genl Clinton that unless he was reinforced with nine hundred men he could not defend Charlestown, that a much larger number than that were to embark, that besides Charleston they were destined to Georgia & Augustine. The person did not know all the corps that were to embark but was informed there were to be some British, some Hessians, & the new-raised corps, of which Robinsons[2] & the N. York Volunteers were particularly mentioned. They appeared to be bringing down much baggage to the wharves. It was said they expected to have the whole on board by the Sunday preceding the date of the letter.

Although the general plan of our official correspondence excludes unauthenticated intelligence, the successful enterprize of the Marquis de Bouille agst. the island of Eustatius, is attended with so many marks of reality that we can not well omit it. The article in the inclosed gazette[3] under the Antigua head in particular, is little short of a confirmation of it.

We have the honor to be with the highest respect & esteem Yr Excellency's Obt. & very hble servts. Jos. Jones

J. Madison Jr.

Edm. Randolph[4]

RC (Vi: Continental Congress Papers). Written by Madison and signed by Madison, Jones, and Randolph.

[1] For Gen. William Heath's December 26 dispatch, which was read in Congress on December 31, 1781, see PCC, item 157, fols. 437–36, item 185, 3:11.

[2] That is, Col. Beverley Robinson's Loyal American Regiment.

[3] The *Pennsylvania Packet* of this date.

[4] Two days earlier Randolph also wrote the following brief note to Harrison concerning an unidentified complaint: "I am advised to lay the inclosed complaint before you. The gentlemen claim they have no fund, to which they can resort on this occasion." Jay Treaty Collection, PP.

Oliver Wolcott to Andrew Adams

Sir Philadelpa 2 Janry. 1782

I have been favoured with your Letter of the 22d Novr. and 10 Decr. which I am happy to Acknowledge. I suppose that you have recd. one from me since I left Home.[1]

I can say no more with Regard to the Letters of Mr. Deane which you desire to be informed of than that they are here generally believed to be genuine.

As to the Matter of Imposts which you also mention, I think that a National Revenue is Necessary, my Reasons for this opinion in Regard to the Imports are given in the Report of a Committee which I suppose will be considered the next Session of Assembly. That any Money granted may be misapplied is most certain And if this Principle ought to govern No Money ought ever to be granted for any publick Use, at present so farr as I can judge there is a great Reduction of Expence, by the Conduct of the Superintendant of Finance, in the Expenditure of Such Money as he is possessed of. The single Article of furnishing the Stationary Troops by Contract, has reduced the Expence of Rations doubless one half.

The Acts of Congress reducing the Number of the General Staff, except what are necessary for Actual Service, and reducing All Officers commanding several Cores not in the Line of any State, while it relieves them from a Circumstance which can afford no Pleasure, in holding an Office, not accompanied with any proper Command, in which they must find that there Services are not wanted, will make a considerable saving of Expence.[2]

Congress have incorporated the Society for establishing a Bank.[3] Their first Subscription for it is already compleated. Much utility I hope will be derived from it. But without a Revenue such immediate advantages to the Publick cannot be Obtained from it as might otherwise be expected. But the Principles upon which Banks are established is so little understood that I suppose many will object against it.

We have no News from Genl. Greene so late as that published under the N London Head. We may dayly expect to hear from him.

I am Very sorry that Vermont has not complyed with the Proposal of Congress. N York and N Hamshire are remonstrating against them. There recent Claims are I beleive universally rebrobated, and their persisting to make them, will probably invovle them in much Dificulty.[4]

My best Complements to Mrs. Adams and my other Friends. You will please to let my Family know that I am well—as it is uncertain wheather I shall be able to Write to them by this Oppertunity. I am Sir with much Regard, your most Obedt. Servant,

Oliver Wolcott

RC (DLC: John P. Morgan Signers Collection). Addressed: "Hon. Andrew Adams Esquire, Litchfield, Connecticut."

[1] Not found.

[2] Congress had adopted resolves on December 31 reducing the number of officers unattached to specific state lines or separate army corps and providing depreciation pay for those so affected. *JCC*, 22:1186–87.

[3] The ordinance incorporating the Bank of North America had also been adopted on December 31. *JCC*, 21:1186–90.

[4] See Samuel Livermore to Meshech Weare, January 8 and 21, 1781.

Georgia Delegates to Mordecai Sheftall

Jany. 3d. 1782.

The Delegates of the State of Georgia request the Court to arrange the Evidence to be taken in the case of Major Genl. Howe, in the following manner?[1]

At the commencement of the invasion of the State of Georgia in the latter end of the year 1778—what Steps were taken by Major Genl. Howe to prevent the enemy Landing—where did the enemy Land? was the place known in time, and was it defensible; what force was stationed there, and the resistance made? where was the Army Posted; and were the passes leading in directly to the Town secured. In what manner did the enemy approach, and what resistance was made—when and in what manner did the Army Retreat—how many were taken and in what manner—could it have been prevented, and by what means? How many Cannon and what Stores were lost, and by what mean's—when did the Army Cross Savannah River, and in what manner. Were the Troops at Augusta ordered to leave the State, and by who's Orders, were the Troops at Sunbury Ordered to leave the State, and by whom, and do you know if the Order's were to leave the State?

The Delegates of the State of Georgia, Send the foregoing Question's that will be proponded to him by the Court martial in the Case of Genl. Howe in Behalf of the State?

MS (GHi: Sheftall Papers). In the hand of Edward Telfair.

[1] The Georgia delegates, Edward Telfair and Noble Wimberly Jones, prepared a set of questions which they anticipated all witnesses at the court martial of Maj. Gen. Robert Howe, begun December 7, would be asked. See Georgia Delegates to Baron von Steuben, December 9, 1781, note 2. Judging from the line of questioning the

court pursued, a copy of these questions was sent to the Board of War before the trial began, for which see the following entry, while this copy was sent to Sheftall, the deputy commissary general of issues for Georgia, who was then in Philadelphia and who the Georgia delegates clearly expected to testify, although he was never summoned.

Georgia Delegates to Baron von Steuben

Sir, Philadelphia, January 4, 1782.

We are sorry to understand, that the indisposition of General Elbert is like to prevent his attendance as an evidence on the trial of Major General Howe. Should that be the case, we are hopeful the Court will direct his deposition to be taken, before the close of the trial, upon the interrogatories that were given in by us to the Board of War, in behalf of the State of Georgia.[1] We are, Sir, Your most obedient and very humble Servants, Edward Telfair,

W. Jones.

MS not found; reprinted from *NYHS Collections*, 12 (1880): 243.

[1] The "interrogatories that were given in . . . to the Board of War" were apparently the same as those sent to Mordecai Sheftall on January 3, for which see the preceding entry. In his January 5 reply, Steuben pointed out that the court could not order a deposition taken of Gen. Samuel Elbert, who was "not in a condition to travel," because it was "contrary to the usage and custom in like cases." Notwithstanding, Elbert was able to testify in person on January 12. See ibid., pp. 244, 265–73.

John Hanson to George Washington

Sir, Philadelphia 4. Jany. 1782.

The inclosed letter from William Coonor and the papers accompanying it, have been read in Congress and are referred to your Excellency to take order upon.[1]

I have the honor to be &c. J. H.

LB (DNA: PCC, item 16).

[1] The enclosed letter to Congress from Ensign William Connor of the 7th (formerly 9th) Virginia Regiment, dated "Fort Pitt Decr. 15th 1781," is in the Continental Congress Miscellany, DLC. Connor was seeking permission to resign his commission, and enclosed documents signed by the auditor and paymaster of the Virginia troops at Fort Pitt certifying "settlement of his Public Accounts." Although Secretary Thomson made no mention of this case in his journals, he endorsed Connor's letter: "Jany 2. 1782. Referred to the Commander in chief to take Order."

Washington's approval of Connor's request was signified in a January 4 letter from Tench Tilghman to Connor, a copy of which is in the Washington Papers, DLC.

Ezekiel Cornell to Welcome Arnold

Dear Sir.[1] Philadelphia Jany. 6th. 1782

I have received your letter of the 18th Ulto. to Mr. Ellery and my self it is with pleasure I observe the attention you pay to the want of your absent friends and I shall be happy whenever it shall be in my power to return the kindness and thereby convince you how much. I am your most obedient. Humble Servant. E Cornell

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RC (PHi: Dreer Collection).

[1] Welcome Arnold (1745–98), a Providence merchant and member of the Rhode Island assembly, 1778–82, 1787–98. William R. Staples, *Annals of the Town of Providence* (Providence: Knowles and Vose, 1843), pp. 273, 291, 305–6, 335, 340, 652.

John Hanson to the States

Sir. Circular. Philadelphia th Jan. 1782.

Your Excellency will receive enclosed herewith a copy of an Act of Congress of the second inst. recommending to the Legislature of each State to pass Acts, to be in force during the continuance of the present war, for the seizure and condemnation of British Manufactures found on Land within their respective Jurisdictions, in certain cases; which, I hope, will meet with proper respect and attention.[1]

I have the honor to be &c. J. H. Presidt.

LB (DNA: PCC, item 16).

[1] The enclosed January 2 recommendation to the states was designed "to render more effectual" Congress' December 4 ordinance for "ascertaining what captures on water shall be lawful." *JCC*, 22:3. For the long, intermittent debates on that ordinance, which was proposed in August by the committee on establishing a court of appeals in cases of captures, see *JCC*, 21:861–72, 916, 921, 958, 961–65, 970, 985–86, 1109, 1113, 1147–48, 1152–58, 1200. See also William C. Houston to William Livingston, December 1, 1781, note.

Satisfaction with the December 4 ordinance was short lived, however, for a proposal to amend it was soon offered, and adopted on January 8, as well as a second amending ordinance adopted on February 26, for which see *JCC*, 22:8, 10–11, 96–100, 23:885–86; and Hanson to the States, January 11, 1782.

William Floyd to George Clinton

Dear Sir, Philadelphia Jany 7th. 1782.

Your Excellencys Letter with the papers therewith Inclosed Respe[c]ting the Conduct of the people on the Grants, I laid before Congress, who Refered them to a Committee; and that Committee have this Day Reported;[1] A Copy of which Report is herewith Inclosed.[2] Next Thursday is Assigned for taking it up, And I am Sorry to Say, that there appears in Congress (however unjust with Respect to our State, or however Impolitick it may be With Respect to the United States) too Great a Majority in favour of it, But as it is one of those matters which Requires the Consent of Nine States before it Can pass, I think they will not be able to Carry it this time, And Altho' I may prevent this passing, yet I am very doubtful whether I shall be able to procure from Congress any thing that will be of much use to us, But I Shall do my Endeavour and I have the Assistance of Some able friends who are heartily Interested in this Business.

Whatever Congress may Determine on with Respect to this or any other Matter that Relates particularly to our State I Shall Give you the Earliest Information.

Reprinted from Burnett, *Letters*, 6:286, from a document located in the New York State Library before the Albany fire of 1911.

[1] Governor Clinton had sent both a private and a public letter of December 24 to the New York delegates concerning the "treasonable" activities of the Vermont leaders. Neither the journals nor Secretary Thomson's endorsements indicate when Clinton's public letter and enclosures were laid before Congress and reported to committee, but for the letter and its 19 numbered enclosures, see PCC, 2:141–86. Both of the letters have been printed in Clinton, *Papers* (Hastings), 7:623–25.

[2] Not found, but for the revision of the report on Vermont submitted to Congress this day and debated on January 12, 25, and 28, see PCC, item 40, 2:237–40; *JCC*, 22:54, 57–60; and Floyd to Clinton, January 15 and 31, 1782.

Rhode Island Delegates to William Greene

Philadelphia Jany. 7th. 1782.

We have been honored with your Excellencys letters of the 18th and 22nd Ulto.[1] Previous to the recept of your letter of the 22nd we had received a letter from his honor the Deputy Governor, inclosing the Resolution of the General Assembly, directing us to confer with the Superintendant of Finance, on the subject matters therein contained. That no time might be lost, we communicated the contents to the Financier. "He observed that he was sensible of the force of the arguments contained in the Resolution: but he thought too much was asked for. That whatever he did in this case must be general to all the states, and that it was his wish, to give them every assistance that was necessary, to enable them to comply with the Requisitions of Congress, and that nothing that he could do for that purpose, consistant with the duties of his Office should be wanting. He was too much ingaged to take up the business, so as to enable us to forward an answer by this Post, but promised that as soon as he could attend he would give us notice."[2]

We are fully impressed with the force of your arguments, respecting the inability of the Inhabitants of the state, to pay their quota of the Tax in specie, that is required by Congress for the present year, and shall enforce them at the conferrence with the Superintendant, and you may be asured that nothing that is in power will be omited, that shall appear necessary to obtain the request of the Honl. the General Assembly. As soon as the business is finished we will give you the earliest information.

We have the honor to be your Excellencys most obedient Huml. Servants,

William Ellery

E Cornell.

RC (R-Ar: Letters to Governors). Written by Cornell and signed by Cornell and Ellery.

[1] Greene's December 22 letter is in Staples, *Rhode Island*, pp. 362–64, but neither is in PCC.

[2] See Rhode Island Delegates to Greere, January 8, 1782, note 1.

Samuel Livermore to Meshech Weare

Dear Sir, Philadelphia Jany. 8th 1782

Nothing material has occurred since my last. Congress are come to no determination concerning Vermont. They are much divided in opinion about the steps that ought to be taken. However the committee on that subject have at last reported.[1] The substance of the report is adapted to carry into execution the Resolution of 20th Augt. last; by giving Vermont an opportunity to revise their doings in Octo. and renouncing their late acquired jurisdiction on the east of the river &ca. Tis proposed to send a commissioner from Congress to treat with them & to explain matters: and to denounce terror in case of their not complying. Whether this report will be accepted is uncertain: and the effect on the Vermonters is alike uncertain.

The report is to be taken up soon. I am very anxious about the event of this matter.

I am Dear Sir your friend and most obedt Servant,

Samuel Livermore

RC (Nh-Ar: Vermont Controversy Collection).

[1] See William Floyd to George Clinton, January 7, note 2.

James Madison to Edmund Pendleton

Dear Sir Philada. Jany. 8th. 1782

I have before me your favor of the 31st Ulto.[1] I regret much the refusal of Mr. J. to become a member of the Virga. delegation, not only as it deprives his country of that particular service, but as I fear it proceeds from a fixed disinclination to all public employments.[2]

Yesterday was opened for the first time the bank instituted under the auspices of Congress.[3] Its principal founder is Mr. R. M who has certain prerogatives wth. respect to it in his quality of superintendant of finance. It is pretty analagous in its principles to the bank of England. The stock subscribed is 400,000 dollars. When the scheme was originally proposed to Congress for their approbation & patronage, a promise was given that as soon as it was ripe for operation the company sd. be incorporated. A few days ago the fulfilment of the promise was claimed. The competency of Congress to such an act had been called in question in the first instance, but the subject not lying in so near & distinct a view, the objections did not prevail. On the last occasion, the general opinion though with some exceptions was that the Confederation gave no such power and that the exercise of it would not bear the test of a forensic disquisition & consequently would not avail the institution. The bank however supposing that such a sanction from Congress wd. at least give it a dignity & preeminence in the public opinion, urged the engagement of Congress; that on this engagement the subscriptions had been made; & that a disappointment would leave the subscribers free to withdraw their names. These considerations were reinforced by the Superintendt. of finance, who relyed on this institution as a great auxiliary to his department, and in particular expected aid from it in a payment he is exerting himself to make to the army. The immediate interposition of Congress was rendered the more essential too by the sudden adjournment of the Assembly of this State, to whom the bank might have been referred for the desired incorporation, which it was the opinion of many would have given them a sufficient legal existence in every state. You will conceive the dilemma in which these circumstances placed the members who felt on one side the importance of the institution, and on the other a want of power and an aversion to assume it. Something like a middle way finally produced an acquiessing rather than an affirmative vote. A charter of incorporation was granted, with a recommendation to the States to give it all the necessary validity within their respective jurisdictions. As this is a tacit admission of a defect of power I hope it will be an antidote against the poisonous tendency of precedents of usurpation.

In the ordinance lately passed for regulating captures, which I presume you have seen, a clause was inserted, exposing to capture all merchantizes produced in G.B. if coming into these States, & within three leagues of the coast, altho the property of a neutral nation. Congress have now recommended to the States to subject them to seizure during the war, if found on land within their respective limits.[4] These measures had become necessary to check an evil which was every day increasing, and which both enabled & encouraged G. Britain to persevere in the war, at the same time that it mortifyed our ally with daily seeing the fruits of his generosity to us remitted in payment to the rival of his nation & the enemy of both.

The success of the Marquis de Bouille agst St. Eustatius is Sufficiently confirmed. About 700 prisoners were taken. As we have good reason to believe strong reinforcements are on the way from France to the W. I. this loss may be considered as a presage of much greater misfortunes.

I am Dr Sir Yrs. sincerely J. Madison Jr.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:22–23.

[1] See ibid., 3:347–48.

[2] For Thomas Jefferson's "refusal," see Madison to Pendleton, December 25, 1781, note 4.

[3] For the December 31 ordinance incorporating the Bank of North America, see *JCC*, 21:1187–89; and Virginia Delegates to Benjamin Harrison, this date, note 5.

[4] See John Hanson to the States, January 6, 1781.

Edmund Randolph to George Washington

Dear sir Philadelphia Jany. 8. 1782.

Your excellency will, I hope, readily believe, that I most cheerfully obey the commands of my brethren in the delegation, to transmit to you the vote of the Virginia assembly, expressing their sentiments of your conduct and exertions at York.[1] We cannot pass by this favorable opportunity of declaring to your excellency the thorough coincidence of our feelings with theirs.

Shall we beg the favor of you to forward the inclosure to the Marquis.[2] Its contents are honorary in a great degree; but I fear, there is something very unusual in presenting a gentleman with a bust of himself.

I have the honor to be, Dear sir, with the sincerest respect and esteem, yr. excellency's obliged and obt. serv.

Edm. Randolph.

RC (Paul Mellon Collection, Upperville, Va., 1972).

[1] For the Virginia assembly's vote of thanks to Washington, see *Journal of the House of Delegates of the Commonwealth of Virginia* [October 1, 1781–January 5, 1782] (Richmond: T. W. White, 1828), p. 42.

[2] For a similar vote of appreciation for the marquis de Lafayette, see ibid., pp. 43, 46.

Rhode Island Delegates to William Greene

Sir Philadelphia Jany. 8th. 1782.

We do ourselves the honor to inclose to your Excellency, a letter we have received from the Honl. Robert Morris Esqr., Superintendant of Finance, since we wrote you yesterday.[1] We can say nothing more on this subject at present, than that we shall see Mr. Morris, before he will write to you,[2] and shall endeavour by every argument in our power, to convince him of the necessity there is, that he should speak to the state, in terms that are clear, and decided, and tell them what he will do in this business.

We have the honor to be, your Excellencys most obedient huml Servants,

William Ellery

E Cornell

RC (R-Ar: Letters to Governors). Written by Cornell and signed by Cornell and Ellery.

[1] Robert Morris' January 8 letter to Cornell and Ellery is in Morris, *Papers* (Ferguson), 3:511–12.

[2] For Morris' January 14 reply to Greene, see ibid., 4:19–22.

Virginia Delegates to Benjamin Harrison

Sir Philadelphia Jany. 8. 1782.

Your excellency's favor of the 28th Ulto, not having acknowledged the receipt of our dispatches by Capt. Irish, we shall repeat them, unless the next post should announce his arrival.[1]

We cannot but lament the distressing and degrading situation, in which we are placed, from the scantiness and uncertainty of our supplies, in which our own private credit can avail us nothing, and prices are immoderate and ruinous. We beg the attention of the executive to this point, important to ourselves, and perhaps important to our country.[2]

The inclosures (No 1 & 2) were received from a Mr. Murray.[3] He has painted his services to Virginia at the Illinois, in strong terms, and his sufferings on her account in stronger. We have therefore undertaken to transmit to your board his state of both; requesting, that some answer may be given to his application.

Being disposed to advance, on every proper occasion, the views of our ally, and to demonstrate to Great Britain, how practicable it is to renounce her manufactures and produce, we rendered every aid in our power to the resolution, which the president has sent on,[4] recommending more effectual provision against the introduction of British merchandizes. As these considerations were the grounds of the resolution, we cannot doubt, that our legislature will execute the recommendation. It will be remembered, that the late ordinance, respecting captures, which has been forwarded to the judges of the court of the Admiralty thro' your excellency, relates to this species of commodities, when found on water only.

The superintendant of finance is instructed to transmit to the several states copies of the act, incorporating the national bank. He probably will be explicit on the benefits to be expected from such an institution. To him we shall consign this part of the subject.[5]

But some scruples having been entertained as to the authority of congress to grant a charter of incorporation, we cannot forbear to mention the predicament, in which this body stood.

When the establishment of a bank was proposed to congress on the 26th day of May last, its utility was immediately seen. They accordingly approved the plan, and promised to support it in the most effectual manner. Among other things, they stipulated to pass an act of incorporation; altho' objections were suggested against such an engagement. After a vote to this effect, subscriptions were made upon the expectation of a charter from congress, the president and directors chosen, and we were required to fulfil our contract. The same doubts upon congressional power were again urged; but nothing decisive was done, until a committee, appointed to confer with the bank, reported the result of the conference. They informed congress that they had communicated to the bank the difficulties, which occurred in granting a charter; but that they were answered, that the promise of a preceding congress was binding on a subsequent one; that the subscribers would be free to withdraw their subscriptions, unless a charter should pass from congress, and that tedious and expensive arrangements had been made for commencing the operations of the bank. The financier added, that a delay in these operations would injure him in his attempt towards a payment to the army. Pressed as they were by these representations, congress did incorporate the bank; some of those, who voted in the affirmative thinking themselves obliged by the engagement in May, others contending for a constitutional power in these cases, and others assenting to it from absolute necessity. The resolution subjoined to the act will therefore, we hope, be complied with by the several legislatures.

We have the honor, Sir, to be with great respect, yr. excellency's mo. ob. servants.

Edm. Randolph
J. Madison Jr.
Jos. Jones

RC (Vi: Continental Congress Papers). Written by Randolph and signed by Randolph, Jones, and Madison.

[1] Governor Harrison's letter has not been found, but for Capt. Nathaniel Irish's late arrival in Virginia, see Madison to Thomas Jefferson, November 18, 1781, note 1.

[2] For the loan the delegates negotiated the following day with Haym Salomon, see Madison, *Papers* (Hutchinson), 4:19n.2.

[3] For the enclosed letter from Daniel Murray regarding his services in Illinois, see ibid., 3:342–47.

[4] See John Hanson to the States, January 6, 1782.

[5] For Robert Morris' circular letter to the states, this date, and the December 31 ordinance incorporating the bank, see Morris, *Papers* (Ferguson), 3:507–11.

Oliver Wolcott to Jonathan Trumbull, Sr.

Sir, Private Philadelphia 8th Janry. 1782

The most important matters which have passed in Congress since my last Letter to your Excellency of the 19th ultimo has been an ordinance incorporating the Society for establishing a National Bank. This had been some time ago promised them, and as their first Subscription was compleated it was thot proper to comply with their Application.

Congress have likewise passed two Acts; The one that the Commander in Chief ascertain to the Secretary of War the Number of General officers necessary for Actual Service—That thereupon the Secretary nominally order that Number into Service—And that the Rest of them shall be considered as having retired upon half pay. The Other Act is that all officers commanding separate Cores not in the Line of any State Shall after the 20 of this month retire upon half pay, their Cores will thereupon be incorporated with the Lines.[1]

A Stop for the present is put to any exchange of Prisoners. The Enemy have made it a Preliminary That Ld. Cornwallis (who it is supposed has gone for England) Shall in the first Instance be exchanged. This has not been agreed to, or an Exchange might otherwise have been properly made. What has induced Sr. Harry Clinton to make this an Absolute Condition is a matter of Conjecture only. Our People in Captivity at the Southward will suffer most by this Delay, but the Sanguinary Conduct of Ld. Cornwallis in those Countries induced the Gentlemen belonging there not to desire the Exchange of their People upon such Terms. Perhaps if his Lordship could be considered as divested of a Dispo[si]tion to commit the most wanton Cruelty, no solid objection could lye against his Exchange, on Account of his Military Abilities.[2]

We have no News from the Southward so late as that published under the N. London Head. Probably about ten days ago about 1200 men Embarked from N York for their Southern Posts.

As no official Letter is necessary, I therefore write for your Excellency's personal Information of such matters as have occurred since my last.

I am Very respectfully, Your Excellency's most obedt servant,

Oliver Wolcott

P.S. Mr. Law is well.

P.S. The Superintendant of the Finances has reported a Plan for the liquidating of the Accounts of the States with the U States—and proposed a mode by a special Convention of the several States by Special Appointment of members by their Legislatures to Ascertain the Ratio of each State of the unfunded Debt. The Accounts due from the U States, to each, to be liquidated by a Commissioner Sent to each State to be Approved by the State to whom sent. This Report will probably be considered in a few days.[3]

The Affairs of Vermont have called the Attention of Congress. Nothing yet has been done in this Affair. Perhaps the former Act of Congress admitting them by Implication as an independent State will be recognized and made explicit—And a Time limited for their Complyance which if not agreed to by them, effectually Steps may be taken to give Peace to the Northern Frontiers.

OW[4]

RC (Ct: Trumbull Papers).

[1] See Wolcott to Trumbull, December 19, 1781, note 6; and Wolcott to Andrew Adams, January 2, 1782, note 2.

[2] See John Hanson to George Washington, December 5, 1781.

[3] Robert Morris' proposed ordinance for settling state accounts was given a second reading in Congress on January 12 and referred to a grand committee comprised of a delegate from each state. See *JCC*, 22:12–15; and Morris, *Papers* (Ferguson), 3:357–63.

[4] Wolcott also wrote a now missing letter to his wife Laura this day, which he mentioned in a letter to her of January 21 located in the Wolcott Papers, CtHi. Primarily an expression of Wolcott's homesickness and disappointment at the infrequency of her letters, the latter concludes bluntly—"I have no News."

John Hanson to Thomas Sim Lee

My Dear sir, Philadelphia Jany 9th 1782

On the recept of your Excellencys favour of the 21st Ult which was delivered me by Colo R Lloyd three days ago I went immediately to a Coach maker to bespeak a Phaeton for Mr Worthington. Agreeable to your request the man Shewed me one he had just finished I think the most Elegant thing I ever Saw of the Kind, Price £225. I did not Care to engage it, the price for what they make in Common And which are very [. . .] is from 150 to £160. He has engaged to go about one immediately but has proposed to go down to Annapolis with the one above mentioned at his own risk not doubting but the Elegancy and goodness of it will tempt Mr Worthington to take it at the price. If he does not, he makes no doubt of Selling it before he returns, And in the mean time the one bespoke will be going on. There is a very great dearth of news at present nothing from Any quarter of Consequence. Something of importance may be hourly expected from the West Indias. Count Degrasse it is probable will not be idle And his Superiority it is to be hoped will enable him to Strike Some Important blow. The French frigate that went from the Chesapeake with the Account of the Capture of Ld Cornwallis Arrived at Brest the 15h Novr So that it is probable they will get the Account in England before the meeting of the parliament. We must have the Kings Speech in a few days.

I inclose you the last paper And an Estimate of the Forces of the Enemy at Charles Town. I wrote you Some time ago mentioning the sums I had recd of Mr Mollehon on Account of the State, And requesting a further Supply as Soon as possible—which I hope will be Complyed With. I have not ten pounds by me.

I have the honor to be your Excellencys most Obedient And very hble servt,

John Hanson

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

Benjamin Hawkins to Abner Nash

Dear Sir, Philadelphia, January 9th, 1782.

Since my last by Mr. Allen we have no European intelligence, but the agreea[ble] news, the reduction of St. Eustatius, St. Martins and Saba, by the marquis Bouille who has reestablished their former government. This enterprise was well conducted and reflects the highest honour on the Marquis and his brave little corps.

The amazing efforts of the British last campaign and the events therefrom, are strong and evident proofs that she cannot prosecute the war with any possible prospect of success. The fleets of [. . .] superior and consequently any distant operations must be very uncertain and distructive.

We have some pretty well authenticated reports that a reinforcement of troops and shiping are arrived from France at Martineque and that some combined operations are daily expected in that quarter—from the State of the belligerent powers, we may safely conclude, that there will be peace this spring, or that the British possessions in the West indies will be divided amongst her enemies, and that she will not have an army in the United States.

The New York paper announces the arrival of Lord Dunmore at Charlestown on his way to his government of Virginia.

The People of Vermont are like to be troublesome to us, they would not accord to the propositions made to them in August last but continued to encroach on the territory of New York and New Hampshire, the consequences were that the citizens of these states armed immediately and they were Like to have had an action, which was in some measure prevented by some of our generals.

Congress have been rather in attentive to the repeated remonstrances of New York and New Hampshire, and some interested members thereof are said to have encouraged the people of Vermont in persevering, in the support of their Claims. We now have this business before us and I fear we have too few States in Congress to bring it to a speedy determination.

Miss Peggy has written as you asked. I think she will make a very amiable woman, she certainly improves, her connecxions are the first young Misses in this City. She was pleased to hear you were coming[1] and seems better satisfied, I might have said perfectly so.

Howell has been truely unfortunate or rather we, in being concerned with him. I am much oblidged to you, for your offer of serving me in New Bern. I am perfectly convinced of your friendship.

Indigo is rather dull sale at a dollar per lb. Dry goods (very plenty) three times their sterling cost in whole sail, or 2/6 currency for a French liver. Rum 11/ per gallon by the quantity. Sugar 6 to nine d. per lb, as in quality. Note 7/6 is a dollar here.

Bever hatts	16 dollars	these articles are made here
Common good	10 dollars	
Boots . . .	10 dollars	
sho's, mans,	17/6d, ladies 22/6	

Provisions in the market is in proportion to the last articles, Money is very plenty.

I am very unwell to day With a very bad cold, and have written you, an incorrect letter.

Pray give my respects to your lady, Mr. & Mrs. Ellis.

I am Dear, with sentiments of regard, Your humble servt.

Benjamin Hawkins

RC (Nc–Ar: Miscellaneous Papers).

[1] Although Hawkins had been encouraging Nash to come to Philadelphia, for which see Hawkins to Nash, December 5, 1781, note, Nash did not make the journey until October 1782 after he had been elected a delegate to Congress in his own right. "Miss Peggy" was apparently Nash's daughter by his first wife, Justina Davis Dobbs, widow of colonial governor Arthur Dobbs. *DAB*.

Arthur Middleton's Draft Proposal

[January 9–February 20, 1782][1]

The first Step necessary towards a general Liquidation of Accounts between the United States, & the respective States, should be to propose for the approbation of the respective States a Table of Depretiation drawn up by the Directions of Congress upon rational Principles, & referd with the grounds upon which it is framed for the view & final approbation of each Legislature. The Table approv'd, let Congress recommend to each State to appoint a Delegate to Congress for the Express Purpose of adjusting all Accts. whether arising from Monies advanced, Services performed, or Certificates given to Individuals &c. The said Delegates to bring with them to Congress all the publick Accts. of their respective States with the necessary Vouchers, to form a Committee of Accts. in the place where Congress shall sit & being aided by the Superintendt. of Finance, the Comptroller, Treasurer, & other Officers concern'd in money Matters, & under the Eye of Congress (with whom they may communicate for resolving Difficulties, Disputes &ca.) to settle with all Convenient Dispatch an Adjustment of all Accts. of every Denomination which shall be deemed final & Conclusive the powers given by the respective States being to such Effect.

The said Delegates for Settlement to be vested with full power, (with the Assistance of Congress) to adjust the Quotas of the respective States, & the mode of discharging the publick Debts by Instalments &ca.[2]

MS (ScHi: Middleton Papers). In the hand of Arthur Middleton. Endorsed: "Plan for Liquidation & final Settlement of all Publick Accounts—*A.M.*"

[1] This draft proposal for settling public accounts appears to be a reaction to the plan submitted by superintendent of finance Robert Morris on December 10 and reported out of committee on January 9. The plan was debated on January 11 and 16 when it was referred to a grand committee whose report was adopted on February

20. Middleton may have jotted this outline at any time that Morris' plan was before Congress or the grand committee. See *JCC*, 22:12–17, 34, 36, 82–86; and Morris, *Papers* (Ferguson), 3:357–63.

A refinement of Middleton's proposal may be found on another MS in the Middleton Papers bearing two undated draft resolves and two sets of "reasons" for supporting them. In the second of these Middleton proposed "That for the Liquidation & settlement of all Accounts, whether publick or Private, wherein the publick are interested in large Sums, not less than Three Commissioners be appointed, one taken from each of the Departments, Northern, Middle, & Southern." His "Reasons of the 2d" were clearly defined. "The Supreme Power cannot be too carefull in the Settlement of great Sums of money expended—especially where in the Body politic there are separate Interests, & publick Servants may be particular favourites. If there has been Peculation or misapplication ONE man may be drawn into the Corrupt Circle. Should *three* be even inclined to Corruption, mutual Jealousy & danger of impeachment would keep each within the Line of Duty & honesty."

The first resolve listed on this MS is unrelated, but nonetheless reflects Middleton's preoccupation at this time with the problem of public credit. "Resolved, That the Financier be directed to make no Draughts upon Europe, unless Bills can be negotiated at Par." His "Reasons for the 1st" were that "No State can support itself by foreign Loans, if 1/3 of the money borrowed is sunk *before* it is even touch'd for supplying the publick Expenditures—& because there may be a Link between the Persons concern'd in the management of publick Business, & the Individuals who by the Benefits of Trade have the Command of the Specie imported. The Public will in future be heavily taxed, for the present advantage of a few Merchants who care not 3 farthings how the Contest ends."

[21] In an earlier draft of this proposal, which is also in the Middleton Papers, Middleton completed this paragraph in the following words: "in such manner as may be most agreeable for the publick & least burthensome to the Individual."

John Hanson to the States

Sir, Circular Philadelphia 11 Jan. 1782.

I have the honor to inclose your Excellency an Ordinance of Congress, dated the 8th instant, for amending the Ordinance ascertaining what Captures on Water shall be lawful;[1] and am, with great respect, Your &c. &c.

LB (DNA: PCC, item 16).

[1] See *JCC*, 22:8, 10–11; and Hanson to the States, January 6, 1782, note.

John Hanson to Philip Thomas

Dear Doctr Philadelphia January 14th. 1782

We are very uneasy, not haveing received a line from you Since you left us. No other Cause than that of the want of an Oppertunity (or perhaps Miscarriage) I hope has prevented it. I wish much to hear how you got home and how you found the family especially little Beck & John.

Your mother has been very unwell almost ever Since you left us 'till within these few days. She begins to be better reconciled to the place and intends to begin tomorrow to return Vissits. Little Kitty is very well and much delighted with the Acquaintance She has made Among the little Girls.

Our national Bank opend Monday last and many notes have been Issued—it seems to be the inclination of all ranks of people to give it all possible Credit—some notes have been brought in by the Farmers to be Exchanged what were instantly paid off in hard money. While others after finding that the money was ready went off with the notes well Satisfyed of their being equal in Value to Gold and silver. The Merchants here are throwing their money into the Bank, and taking out notes, which they find equally Answers their purposes. These notes too will be received in the Continental Treasury in discharge of Taxes. Ten or twelve Vessels are lately arrived here from the Havanna, with a large quantity of Specie, which it is said will all go into the Bank—in short from present Appearances I think there Can be no doubt, but the Credit of the Bank will in a very Short time, be so well established, that it will be in the power of the Directors, to Issue notes to any Amount they please; prudence will dictate to them, not to Issue more than they have Cash in hand, at least for some time. When those notes get Circulated through the Continent, it will be a difficult matter in Case our Enemies (I mean the disaffected) Should have designs Against the Bank, to Collect a number Sufficient to endanger its Credit; and no man or Set of men perhaps would think themselves Safe in making the Attempt. 9 oClock at night post Just arrived and no letter from you. no news from the southward Since the 21st Novr. Your mother and little Kit Joins in love to you and little Beck & John. My Compliments to all friends, yrs. J H.

RC (MdHi: Hanson Letters).

Elias Boudinot to William Livingston

Sir, Philadelphia Janry. 15th. 1782

I lately received an application from the County of Essex, informing me of one Mr Reid[1] having been taken up in New Ark, who had come from New York, and after being bound over to appear at Court, that he was again taken returning from New York. I was desired to call on the Commander in Chief to get all the Intelligence I could of this Man.[2] This I have done and for obvious Reasons, think proper to communicate the result to your Excellency, as the Head of the Executive Authority.

The Commander in Chief has authorized me to say, that Mr Reid was formerly a deputy Paymaster in the Continental Service. That he was accused of secreting & introducing into Albany, the Men who came from the Enemy to take Genl. Schuyler. That tho' there was no Doubt of his Guilt, yet from some peculiar Circumstances, nothing more could be done with him, than to banish him into New York. From that Place he lately returned to New Ark with his wife. That he is very dangerous Person, and ought not to be suffered to go at large.

If this should be communicated to the Chief Justice perhaps some Mode might be fallen on to prevent Mischief from this Person.

There is not a Word of News for several Days past, except that we have just heard of the King of France having a son & Heir. Have the honor to be, Your Excellency's most obed Hble Servt,

Elias Boudinot

RC (DSoC: Miscellaneous Manuscripts).

[1] Apparently Lawrence Reed (b. 1750), son of Lawrence Reed (d. 1773) the former law partner of Richard Yates, who had previously applied for a pass for his wife (a relative of Livingston) to travel to New York to collect a debt from Yates. Livingston's January 19 reply to Boudinot, the principal source of information on Reed, is in Livingston, *Papers* (Prince), 4:368–69.

[2] As Washington was in Philadelphia at this time, Boudinot seems simply to have spoken to the general about Reed and no written evidence on the subject was created.

William Floyd to George Clinton

Sir, Philadelphia Jan. 15th, 1782.

The Report, a Copy of which I transmitted to your Excellency has been largely debated But it was not brought to a Question.[1] I do Expect it will be Resumed again this Day, and unless there Comes in Some other members, that were not present when it was last under Consideration (which I fear may happen) I think they will not be able to Carry it, tho' I am Clear that there is a Great Majority in Congress for that Report, or Something that is Similar. The Conduct of those people, Connecting themselves With the Enemy in Canada, does not appear to affect those who are for Supporting them in their Revolt. They Endeavour to make light of it as a matter of no Consequence and act accordingly. I Shall take the first oppertunity to Advise your Excellency of what Ever Congress may Determine on the Subject,[2]

P.S. I am amazed that Genl. Scott does not come on.[3]

Reprinted from Burnett, *Letters*, 6:291, from a document located in the New York State Library before the Albany fire of 1911.

[1] See Floyd to Clinton, January 7, 1782, note 2.

[2] No debates on the Vermont controversy are recorded in the journals during January before the 25th, but see ibid., and Samuel Livermore to Meshech Weare, January 8, 1782. See also Floyd to Clinton, January 31, 1782.

[3] John Morin Scott resumed his seat in Congress on February 14. *JCC*, 22:75.

James Madison to Thomas Jefferson

Dear Sir Philada. Jany. 15th. 1782

Your favor of the day of written on the eve of your departure from Richmond came safe to hand by the last week's post.[1] The result of the attack on your administration was so fully anticipated that it made little impression on me.[2] If it had been consistent with your sentiments & views to engage in the new service to which you were called, it wd. have afforded me both unexpected & singular satisfaction, not only from the personal interest I felt in it but from the important aid which the interests of the state would probably have derived from it.[3] What I particularly refer to is her claim to Western territory. The machinations which have long been practised by interested individuals agst. this claim are well known to you. The late proceedings within the walls of Congress in consequence of the territorial cessions produced by their recommendations to the States claiming the Western Country were many weeks ago transmitted for the Legislature by a Capt. Irish. By the same conveyance I wrote to you on the subject. We have the mortification to find by our latest letters from Richmond that this Gentleman had not at the date of them appeared there.[4] As it is uncertain whether that information may not have totally miscarried it will be proper to repeat to you that the States besides Virga. from which the cessions came were Connecticut & N. York. The cession of the former consisted of all her claim west of N. York as far as the Mississippi. That of the latter of all her claims beyond a certain western limit drawn on the occasion. The cession of Cont. extended to the soil only expressly reserving the jurisdiction. That of N.Y. made no reservation. These cessions with that of Virga. & sundry memorials from the Inda. & other land Companies were referred to a Committee composed of a Member from N.H., R.I., N.J., Pa. & Maryld. The ingredients of this composition prepared us for the complexion of their proceedings.[5] Their first step was to investigate & discuss the respective titles of the States to the territory ceded. As this was directly in the face of the recommendation of Congress which professed to bury all such discussions & might prejudge future controversies between individual members of the Union, we refused to exhibit any evidence in favor of the title of Va. and endeavoured though in vain to prevail on Congress to interdict the Committee from proceeding in the enquiry. The next step of the Committee was still more obnoxious. They went fully into a hearing of the Memorialists through their Agents & received all the evidence adduced in support of their pretensions. On this occasion we renewed our remonstrances to the Committee & our complaints to Congress, but with as little effect as on the first occasion. The upshot of the whole was a report to Congress rejecting the Cessions of Virga. & Cont. and accepting that of N.Y.; disallowing also the claims of the Companies N.W. of the Ohio, but justifying that of the Inda. Compy. The report seems to distrust the doctrine hitherto maintained, of territorial rights being incident to the U.S. Collectively which are not comprehended within any individual State; substituting the expedient of recognizing the title of N.Y. stretching it over the whole country claimed by the other ceding States, & then accepting a transfer of it to the U.S. In this state the business now rests, the report having never been taken into consideration, nor do we wish it should, till it shall have undergone the consideration of Virga.

In whatever light the policy of this proceeding may be viewed it affords an additional proof of the industry & perseverance with which the territorial rights of Virga. are persecuted, & of the necessity of fortifying them with every precaution which their importance demands. As a very obvious & necessary one we long since recommended to the State an accurate & full collection of the documents which relate to the subject. If the arrival of Capt. Irish had taken place before the adjournt. of the Assembly & during your stay with it we flattered ourselves that this recommendation wd. have been attended to & that the task wd. have fallen on you. As this was not the case we have no hope at present of being enabled from any other sources than the voluntary aids of individuals to contradict even verbally the misrepresentations & calumnies which are daily levelled agst. the claims of Va. & which can not fail to prepossess the public with errors injurious at present to her reputation & which may affect a future decision on her rights. Col. Masons industry & kindness has supplied us with some valuable papers & remarks. Mr. Jones has also recd from Mr. Pendleton some judicious remarks on the subject.[6] We are still notwithstandg. far from possessing a complete view of it. Will you permit me to ask of you such information as your researches have yielded, with the observations which you have made in the course of them. I would not obtrude such a request on you if the subject were not of public importance & if it could have been addressed with equal prospect of advantage elsewhere. Indeed if you cd. prevail on yourself to spare as much time as would Survey the whole subject, beginning with the original charter, pursuing it thro' the subsequent charters & other public acts of the crown thro' the Govs. of Virga., & referring to all the transactions with the

Indians which have been drawn into the question, the public utility I am persuaded wd sufficiently reward you for the labor.[7]

Pray did you ever receive a letter from me inclosing a proposition declaratory of the coercive power of Congress over the States? It went by an Express while you were at the head of the Exec.[8]

We have not a word of new[s] from Europe. The French are assemblg a force in the W. Indies which presages further calamities to the English. The Spaniards are also in motion, but their object will probably be both a small & a selfish one. I shall cheerfully send you a line as often as I have a subject for it, tho' I shall be so selfish as to hope for some return for it.

I am Dr Sir Yrs sincerely J. Madison Jr.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:32–34.

[1] Not found.

[2] See Madison to Edmund Pendleton, December 25, 1781, note 4.

[3] For Jefferson's refusal to return to Congress, see ibid.

[4] See Madison to Jefferson, November 18, 1781, note 1.

[5] See Virginia Delegates to Thomas Nelson, October 9, note 4, and Edmund Randolph to Nelson, November 7, 1781, note 4.

[6] See Madison, *Papers* (Hutchinson), 4:35n.13.

[7] For Jefferson's explanation of why he could not honor Madison's request, see ibid., 4:119–20.

[8] See Madison to Jefferson, April 16, 1781.

South Carolina Delegates to Charles Cotesworth Pinckney

Sir[1] Philadelphia, 15 Jan 1782

We received your letter of the 5th inst[2] and agreeable to your request inclose you copies of the papers upon which the determination of Congress respecting the Non-Exchange of Earl Cornwallis at present, was founded.[3]

With regard to the improper mode of conducting the Public Business, of which you complain,[4] although we do not think ourselves responsible to any individual, yet for your satisfaction we inform you that the system was established previous to our nomination and that however well disposed we may be to alter it, the single vote of one State is not competent for that purpose. As to the part that we took in the business of Ex., we declare that we voted in the negative, and shall be ready to answer for our conduct and to give the reasons by which we were influenced whenever we are called on by the Legislature of our Country[5]—to you as an individual and a

Patriot we answer that our votes were grounded upon the most sacred of all Political maxims "Salus populi suprema Lex esto."[6]

We are your very humble servts. Arthur Middleton

Thomas Bee

Jacob [*Isaac*] Motte

Tr (ScU: South Caroliniana Library). FC (ScHi: Middleton Papers). FC in the hand of Arthur Middleton.

[1] Pinckney, a colonel in the Continental Line, had been captured at Charleston and was in Philadelphia awaiting exchange.

[2] See note 4 below.

[3] It is not clear what "papers" the delegates may have enclosed concerning Congress' proceedings of December 3–5, 1781, but they probably sent letters from Washington and commissary of prisoners Abraham Skinner regarding Sir Henry Clinton's refusal to proceed with the proposed exchange of the remaining American officers captured at Charleston unless the Earl of Cornwallis was included, for which see John Hanson to Washington, December 5, 1781.

[4] Pinckney's January 5 "complaint" was symptomatic of the frustration felt by South Carolina exiles in Philadelphia. In this instance, he lashed out at Congress and its "mode of conducting the Public Business." "Hearing it mentioned this morning in Town," he explained, "that the Exchange of the Southern Officers was stopped, because Congress has resolved not to exchange Lord Cornwallis, and feeling myself materially affected by a resolution which might deprive me longer of my Liberty, I applied to the Office of the Secretary of War (where I expected to find every resolution of a military tendency) for the proceedings of Congress on that subject; trusting that if such resolution was really passed, I should there see such cogent reasons, for the measure as would convince me that the Interests of my Country required the Continuance of my Captivity, and that my Exchange was not either wantonly or unreasonably held.

"I was informed at the War Office that no resolution relative to the Exchange had been sent there. I thence immediately went to the Office of the Secretary of Congress, and asked for the resolution which declared Lord Cornwallis should not be exchanged. I was there told no such resolution had been entered into. I then desired to see such part of the Journals as related to his Exchange, and was answered that my request could not be complied with, for nothing appeared on the Journals, as a Negative had been put on the report brought in by the Committee on that Subject. This may be true—and yet I have good reason to believe the question of Lord Cornwallis's Exchange was agitated in Congress, and it was there determined not to exchange him. . . .

"One of your Constituents may deem himself aggrieved in a most essential manner by a Vote of Congress, may think his most valuable rights thereby unnecessarily withheld form him, and (for arguments sake we will suppose it to be possible) the States to which he belongs on a fair representation of the Case; may be of opinion that he has been injured; yet on a reference to the Journals of Congress no record can be found of any resolution which either mediately or immediately affects him, nor any trace of the part those Delegates took in the affair who should have been the particular Guardians of his rights."

Pinckney readily admitted that "Resolves may in some cases be passed which reasons of State and the general good may require to be kept secret. But this I apprehend cannot be one of those Cases, as this matter is publicly talked of in Philadelphia, and reports are spread of the part each member took in it. . . ." And he concluded by requesting "an official and authentic account of the proceedings relative to the above Resolution, and of the reasons on which it is founded; that if the General Assembly of South Carolina should be sitting on my return there, I may be able to show them that it is not my fault that I am still a Prisoner, and debarred the Privilege of sharing the dangers of my Fellow Citizens, and of endeavouring with them to recover our Country from the hands of the Enemy, but that I have most earnestly and assiduously sollicited my Exchange, and done everything in my power to attain it." *SCHGM*, 27 (April 1926): 55–60.

[5] It is clear that Middleton had earlier sought to have Cornwallis detained for the "cruelties" he had perpetrated in South Carolina, for which see Elias Boudinot to Lewis Pintard, October 24, 1781, note 2. For his continued opposition to Cornwallis' exchange, see also Middleton's Notes for a Speech, February 23, 1782.

[6] The welfare of the people is the supreme law.

Virginia Delegates to Benjamin Harrison

Sir Philadelphia Jany. 15. 1782.

Having informed your excellency in our last letter,[1] that we should repeat our dispatches, transmitted to Capt. Irish, unless you should announce the receipt of them by yesterday's post, and hearing nothing from the executive, we shall prepare them for the mail of the next week. We unfortunately supposed, that he would convey them in the most expeditious manner. But we have now reason to believe, that his delay on the road has been occasioned by sickness.[2]

The inclosure contains an answer to the letter, addressed to General Washington by the Speaker of the house of delegates on the subject of thanks. We beg leave to consign it to your excellency's care.[3]

We have the honor, Sir, to be with great respect and esteem yr. mo. ob. servt's

Jas. Madison Jr.

Jos. Jones.

Edm. Randolph.

RC (Vi: Continental Congress Papers). Written by Randolph and signed by Randolph, Jones, and Madison.

[1] See Virginia Delegates to Harrison, January 8, 1782.

[2] There is no evidence that the delegates ever sent such duplicate dispatches to Harrison, but he eventually acknowledged receipt of the originals in his letter of February 2, for which see Madison, *Papers* (Hutchinson), 4:53–54.

[3] For Washington's acknowledgement of the resolution of "thanks" voted him by the Virginia assembly, see Washington, *Writings* (Fitzpatrick), 23:435.

Abraham Clark to Benjamin Winans

Dear Sir[1] Philadela Jany 16, 17[82]

As it is now a dearth of News you must not think it amiss that I send you none for indeed this season affords nothing material: it is a long time since we heard anything from Genl Green not since the reinforcements joined him. As we have no Army in the field at this time but his, we have to look to Military enterprize from no other quarter during the Winter unless it is from incursions made by the Enemy into New Jersey, which I think we have reason to fear, tho if they succeed no better than in their late attempt at Brunswick, they had better stay away.

I saw in a late Jersey paper an Acct of Colo Cranes trial of Court Martial in which the Court finds him guilty of trading with the Enemy & encouraging it or countenancing it in others while he commanded at Eliza. Town, and being frequently [saturated?] with Liquor during his commd for which he is adjudged to be reprimanded.[2] Nothing could have reflected greater dishonor on New Jersey than this Trial—only to reprimand an Officer for such a high offence is truly scandalous. I lately heard an officer in a Company of the first Characters of the United States say that Colonel ought to have been hanged and all the Court Martial with him. The affair is severely spoken of generally in this Town. Did Colo Crane know the Opinion entertained of his offence by people of the first Character or had any sense of Shame, he would avoid being seen as much as possible, but he has not a sense of honour enough to know his disgrace or feel his shame, and I suppose this must be much the Case of his judges who appear, at least of the major part of them to be destitute of every principle that Characterizes the man of honour. How is the honour of the Militia bearing this scandalous affair?

I expect by this time the Murderer of Mr. Caldwell has been tried & received his doom but that will not restore our loss which will be long felt in Eliza. Town.[3] I think you had best not be in a hurry in getting another, for few can be found fit to Succeed him that is gone; I have one or two in my mind that might Answer, but think they could not be got till the end of the war, as they are Chaplains in the Army.

I had not the pleasure of seeing you at Philada. as you proposed, and can form no guess when it will be probable I shall see you at home unless I shall return to [Reners?] in the Spring—but know not where to get a safe habitation in our Country. I intended to have hired Mr. Caldwell's house & Land at Turkey if to be let, but that I understand hath been sold. Where I can go is altogether uncertain with me—but shall if I can remove if the Enemy continues at New York.

I am, Dear Sir, most Sincerely yours. Abra Clark

RC (NjHi: Statesmen Collection).

[1] Benjamin Winans, a trustee of the Elizabethtown corporation, was related to Clark through his mother Hannah Winans Clark, and by the marriage of Clark's son Aaron to Winans' daughter Susan. Ruth Bogin, *Abraham Clark and the Quest for*

Equality in the Revolutionary Era, 1774–1794 (Rutherford, N.J.: Fairleigh Dickinson University Press, 1982), p. 163.

[2] A report on Lt. Col. Jacob Crane's court-martial appeared in *The New-Jersey Gazette* (Trenton), December 19, 1781. Crane had been found guilty of trading with the enemy and being "disguised with liquor" while the commanding officer at Elizabethtown. The article also contained a public reprimand of Col. Crane by Gov. William Livingston, which was the sentence rendered by Crane's court-martial.

[3] That is, the Rev. James Caldwell, pastor of the First Presbyterian Church at Elizabethtown, who had been shot under somewhat mysterious circumstances by an American sentry later suspected of loyalism. For the legal depositions of various eyewitnesses to this event, see Joseph F. Folsom, "Manuscript Light on Chaplain James Caldwell's Death," *NJHS Proceedings* 1 (Jan. 1916): 1–12.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir Philadelpa, 21st Janry, 1782.

We have been honoured with your Excellency's Letter of the first instant, and would Observe with regard to the mode of settling the publick Accounts, that the Subject upon a Report has been recommitted, and which has not yet been again reported upon.[1] One great Difficulty which attends this Business is, by what Rate the Certificates given for the old Money shall be Ascertained. A uniform Rule to Operate thro the States when it is well known that the Exchange has been so extremely different, would be apparently unjust, and wheither the schales adopted by the particular States, in Case they had been extended to the Termination of the old Currency, would in all Cases be an equitable one, is not altogether clear. But we Apprehend that when the Principles upon which the Accounts of the several States against the United States shall be Ascertained, one or more Commissioners will be appointed for each State, to liquidate those Accounts. This Measure not only Appears to us to be the most proper one, but, so farr as We can judge by the Observations made upon this Subject, will probably be the opinion of Congress. Another matter has been referred to the same Committee, to adopt a Mode by which the unfunded Debts of the United States shall be Apportioned out to the several States. By the funded Debt is meant all foreign Debts, Loan Office Certificates, and Debts liquidated and entered on the Books of the Treasurer. Wheither this last measure will be agreed to, is uncertain, perhaps it will be tho't that the relative Value of the States, being so very precarious by the operations of the War, it would be too early a Period to ascertain the respective Quotas.

With Regard to what your Excellency mentions respecting specific Supplies being Accepted towards the pecuniary Aid required of the State, We would inform, that the Superintendant of the

Finances tells us that he has wrote to your Excellency upon this Subject.[2] But yet it is proper for us to observe that he acquainted us that all the Troops of the United States except the Southern Army, and the Post at Boston and perhaps one or two More, were now fed by Contract, and that he expected to continue to supply them in this Manner, and that he had also got Winter Cloathing for the whole of them—That his Veiws were to furnish all Supplies by Contract, upon what he Apprehended would be an obvious Principle of Economy. He appeared to be clearly impressed with the Conviction, that the Fruits of the Industry of this Country, if reasonably Applyed, Might furnish in Specie the Sums called for, and that the owners of Provisions might and could much better turn them into Money than the Publick. But he told us that he would advise the Contractors and Clothiers to take such Supplies of the State as they Should want, in Case they might have them as cheap as they might be otherwise procured. We do not apprehend that it will be in our Power to effect any Alteration as to this general System; if it shall be done it must be thro' the medium of the Superintendant. We shewed him your Excellency's Letter, by which, and our own Observations, he is fully possessed of the Subject.

We also judge it proper to observe to your Excellency, that Mr. Robert Morrice having a few days ago recd. a Letter from Mr. Silas Deane Acknowledging that he had wrote him a Letter of the 10t of June last, which has been printed, wherein Mr Deane said he had fully communicated to him his Opinion in Regard to our publick affairs—Mr Morrice considered it as his duty to transmit the Letter which he had recd. to Congress.[3] Mr. Deane discovered by his Letter a pretty deal of Resentment that his Accounts had not been settled. His Remarks in Regard to the conducting of the American War, were similar to What had been made by him in his published Letters; with this Letter he transmitted his Acco. against the U. States to Mr. Morrice, the Ballance of which according to our Recollection was 343,000 Livres. He informed Mr. Morrice that he could not send the Vouchers, but supposed that at least a considerable Sum might be advanced to him on his Account. The day after this[4] Mr. Morrice sent two Letters of Mr. Deane's to Congress, the one directed to his Brother Barnabas, the other to Mr Thomas Mumford. These Letters Mr. Morrice recd. of a Person who took them of Mr Deane in France, with a Very particular charge to destroy them in Case he should find himself in Danger of being taken by the Enemy, But upon his Arrival, finding that Mr Deane's political Character lay under a criminal Imputation, he judged it proper to deliver them to Mr. Morrice. Congress directed the President to break the Seals and if upon Inspection the Letters were of a private Nature to Send them forward, otherwise to communicate them. The Letters were communicated, and thereupon were ordered to be retained by the Secretary of Foreign Affairs—And such Communications made of them as might most effectually Obviate the Mischeif which it was supposed Mr Deane might be inclined to do the United States. Upon this Measure's being agreed to, and which We think was a proper one—We supported a Motion that the Secretary of Foreign Affairs should be directed to send Copys of those Letters with the Prooffs of their Authenticity to your Excellency.[5] Our veiw in this was that as there was not only Matters in those Letters which respected the particular Interests of the Gentlemen to whom they were directed and who ought therefore to be Acquainted with them, But also as Mr. Deane belonged to the State and had fallen under suspicions of a most criminal Nature, it was proper that the State should be able to judge of the Evidence to justify an Imputation of this kind. We shall observe nothing more upon this disagreeable Subject, than that the Determinations of Congress in Regard to those Letters were made without either Passion or any Dissension.

We think it not improper to mention to your Excellency an affair which altho it does not immediately respect the State, yet as some seasonable advice to the People of Vermont to attend to a Conduct consistent with their own Wellfare and the publick Peace,[6] instead of pursuing Measures which immediately lead to the Disturbances of both, might have a happy Effect, We beg leave to Observe that the non Complyance of these People with the Act of Congress eventually acknowledging them as an independent State was as unexpected to Congress, as the Reasons which they gave for their Refusal was unsatisfactory. These People consider themselves under an Obligation, as they Say, to have an adjudication Of the Claims of the People with whom they have lately connected themselves. But they would have done well to have considered that Congress have explicitly guaranteed these recent Claims to N. Hamshire and N. York—And that if a People may as by Right claim an Exemption from a jurisdiction under which they have been long settled, till such Claims can be adjudicated, it will at any Time be in the Power of a few factious People to produce the utmost Confusion and Dismemberment in those States. Congress have had it in Contemplation to recognise their former Act in their Favour, and to declare that if the People of this District shall within two Months accede to the Confederation upon the Terms proposed, That then they shall upon their signing the Confederation be admitted into the Union, and that in Case they shall Refuse that they shall be reduced under one or more of the confederate States. Wheither this Measure as proposed will be adopted is uncertain. But doubtless Measures to put matters upon a different footing in the Northern Frontier will be judged necessary. It Appears Very strange that this People will not now Accept of what they have for a long Time been endeavouring to obtain. This Perseverance in a Mode of Conduct which is considered as so Very improper may, unless immediately rectified, subject them to Difficulties which they do not seem in the least to apprehend. We have no News of any Importance to communicate to your Excellency. We are, with the highest Respect and Esteem, Your Excellency's Most Obedient Servants. Oliver Wolcott.

Richd Law.

P.S. Your Excellency's Letter incloseing that of Mr Bills' we immediately on Receipt thereof lay'd before Congress, who Referrd the Same to Comtee appointed to take up that Subject and to confer with General Washington thereon, who have the same now under Consideration & as soon as they shall report thereon will acquaint you therewith.[7]

RC (Ct: Trumbull Papers). Written by Wolcott and signed by Wolcott and Law.

[1] See Wolcott to Trumbull, January 8, 1782, note 3. The plan to settle the states' Continental accounts was not adopted until February 20. *JCC*, 22:83–86.

[2] See Morris, *Papers* (Ferguson), 3:212–13.

[3] For this September 10, 1781, letter from Silas Deane to Robert Morris, which Morris transmitted to Congress in a January 15 letter to President Hanson, see ibid., 2:237–42, 4:41–42. Morris undoubtedly took this precaution because of the publication in October of an earlier letter to him from Deane, advocating reconciliation and abandonment of the costly struggle for independence, thereby incurring public contempt. See James Madison to Edmund Pendleton, November 13, 1781, note 3. There is no mention of this matter in the journals, but according to Secretary Thomson's endorsement it was "Read the same day & the Accts. within mentioned retd to the Supt. of Finance, viz letter & accots. from S. Deane." PCC, item 137, 1:301–4.

[4] Actually January 17 (*JCC*, 22:37), whereas the previous proceedings took place on the 15th.

[5] For this congressional order directing Secretary Robert R. Livingston to send Trumbull certified copies of the letters from Silas Deane to Barnabas Deane and Thomas Mumford that Robert Morris had laid before Congress on January 17, see *JCC*, 22:37–38. For the context of Morris' action, see note 3 above.

In addition to writing to Trumbull, Secretary Livingston was also instructed to "communicate the contents" of Deane's letters to the American ministers abroad and the superintendent of finance, for which see Wharton, *Diplomatic Correspondence*, 5:117–18, 122–23, 125–26, 146. Deane's letters to Thomas Mumford of September 24 and to Barnabas Deane of September 26, 1781, are in *Deane Papers* (NYHS Colls.), 4:468–74, 476–78.

[6] Wolcott had offered the Vermont leaders "some seasonable advice" in a January 18 letter (not found) to Vermont governor Thomas Chittenden, which was read in the Vermont assembly on February 11. Walton, *Records of Vermont*, 2:135, 379.

[7] Governor Trumbull's January 1 letter enclosing a December 27, 1781, letter from Capt. Ephraim Bill was read in Congress on January 11 and referred to committee. No direct action was taken on their request for gaining the release of American sailors imprisoned in England; and, in fact, Congress concluded in May that the condition of marine prisoners in England was better than those imprisoned in New York City and therefore voted to gain the release of the New York prisoners first. See *JCC*, 22:34n.2, 245–46; and PCC, item 66, 2:202–6.

Samuel Livermore to Meshech Weare

Dear Sir, Philadelphia Jany. 21st. 1782

As my time in Congress is expird I now begin to think seriously of returning to my family and friends in Newhampshire. I have been expecting every day these three weeks to get something done effectually in respect to Vermont; but in vain. Congress are much divided and cannot agree to any one thing. Finding myself short of cash I have drawn on you for one hundred dollers, which I hope will be the last I shall be obliged to trouble you for before my return.

I had just wrote the above as my Servant brought in Mr Langdons letter enclosing a vote of my being reappointed.[1] This was very unexpected. However it relieves me from a disagreable journy (I mean as to the winter season). I shall remain here for the present. But whether I shall be able to serve out the whole year is uncertain. I hope Mr. Langdon will be hurried on as fast as possible. I am informed by Mr. Langdons letter that your health is bad, which I am sorry for, but hope you will soon recover.

I am your friend and most obedt Servant,

Sam Livermore

RC (MHi: Weare Papers).

[1] Woodbury Langdon and Livermore had been elected delegates to Congress on December 29, 1781. Livermore, who had been elected on January 19, 1781, "for the Term of one year from the date hereof," resumed his attendance on January 22. Langdon, who had been a delegate in 1779, never returned to Congress. See *JCC*, 20:498–99, 22:42; and *N.H. State Papers*, 8:887.

Elias Boudinot to Lewis Pintard

My dear Sir, Philadelphia Tuesday Evening [January 22? 1782][1]

Having recd. an Acct per Post, of Mrs. B's being at Princeton on Saturday Evening, I set off yesterday before Noon with a Covered Carriage & met her at Bristol. We arrived here safe about three oClock this Afternoon, and feel very happy that we have preceeded this disagreeable Storm.

I recd yours per Post and shall Carefully attend to your several requests. I greatly doubt that there is any thing worthy your attention, in which you can dispose of the Cash to any advantage, at present. Houses tho bringing an enormous rent sell low. I was offered a very genteel three Story brick House well firnished in front Street on the bank Side for £1050.

I send you a Bundle of Cash, directed for Mr P. Smith, which please to let Elisha know you have as it will oblige him much.

I have sent directions to one Josiah Conklin to pay you £100 or above for me—if he does be so good as to give him a rect. for so much in part payment of a Plantation purchased of me, which you recieve by my orders.

Is not your rent due from Miller—if so you had best send me an Order for it, as a Bird in the hand is worth two in the Bush. I am obliged to you for the York News, tho' I had previously recd. the Papers to the 12th.

Hanny & Susan join me in kind Love to Mrs. P. and desire to be remembered to Johnny.

Am D Sir, Yours Affty E.B.

RC (NjP: Boudinot Papers).

[1] The verso of this letter contains notes by Pintard concerning the sale of slaves advertised in the January 19 and 22 (Saturday and Tuesday) issues of the *Pennsylvania Packet*, a subject Boudinot responded to in his letter to Pintard of February 5, 1782. After leaving Congress on November 9, 1781, Boudinot had recently returned to Philadelphia and is recorded as voting in Congress as early as January 8. *JCC*, 22:11.

Nicholas Eveleigh to John Mathews[1]

Philadelphia Jany 22. 1782

Your letter, my dear friend, from Williamsburg was receiv'd by me a few days ago. From the time of its date I should certainly have set you down in our own dear Country. I am extremely sorry for the cause of your detention [. . .] & for the unconfirm'd state of [. . .] when you wrote me; however as you had gained sufficient strength to enable you to determine upon prosecuting your journey Southwardly, I am in hopes that you reachd Camden time enough to furnish the legislature, who were to assemble, with your contribution of counsel & assistance in the hours of their difficulties & embarassments. I have circulated among our countrymen here the information you gave me respecting the Carolina negros, who were at York & with the British Officers at Winchester & Frederick. They will doubtless take their measures accordingly. We have had repeated accounts of the desertion of the British Prisoners. The circumstance you relate of [. . .] at Todd's bridge in great number [. . .] guard or any person, who had the least charge of them is really very extraordinary & unaccountable. I communicated that part of your letter to the Secretary at War. He informd me that the Virginia Militia had been indeed extremely inattentive to them; & that in consequence of their neglect many had escaped; but that measures were now taken to put a stop to that spirit of desertion, which at the beginning prevail'd among them. A Continental Colonel has been sent to Frederick town & Winchester to collect & remove them all to York & Lancaster in this [. . .] they are by this time secured in [. . .] barracks & guarded by a Continental Regiment canton'd for the purpose in those places. By this arrangment their desertion will be effectually stopt, they will be well accommodated, & a great expence will be saved in the superintendance of them. We have no news here worth sending you. I will inclose you 2 or 3 newspapers. Mr Deane has fully proved himself to be a traytor to his Country. Two letters of his, one to his Brother, the other to another person in Connecticut have lately fallen into our hands. From these there is no reason to doubt that the letters before printed under his signature were genuine.[2] The ministry of Great Britain have certainly f[ound] his price & given it him. He has been [. . .] his correspondence & has taken care to make it very general in order that the poison may be more generally diffused & be the more generally mischievous. Proper measures will be taken respecting him. I beg to be rememberd to all friends & to assure you that the best wishes for your health & happiness are ever entertaind by your hb[le serv]t N. E.

RC (NN: Miscellaneous Folders).

[1] This letter was undoubtedly addressed to John Mathews, who had left Philadelphia for South Carolina on December 22 or shortly thereafter. See South Carolina Delegates to John Ross, December 21, 1781, note 3. He carried with him letters for other South Carolinians, for which see *SCHGM*, 26 (October 1925): 190, 211.

[2] For these Silas Deane letters, see Connecticut Delegates to Jonathan Trumbull, January 21, notes 3 and 5.

James Madison to Edmund Pendleton

Dear Sir Philada. Jany. 22d. 1782

The post having not yet come in I have not the pleasure of acknowledg[in]g yours which I make no doubt he brings for me.

Congress are much occupied & perplexed at present with the case of Vermont. The pretensions of that settlement to the character of an independt. State, with the grounds on which they are made & the countenance given them by Congress are I presume pretty well known to you. It has long been contended that an explicit acknowledgment of that Character and the admission of them into the federal Union was an act both of Justice & policy. The discovery made through several channels & particularly by the intercepted letters of Ld G. Germaine[1] added such force to the latter of these considerations that in the course of last summer preliminary overtures [*were*] made on the part of Congress for taking them into the confederation, containing as one condition on the part of Vermont that they sd. contract their claims within the bounds to which they were originally confined, & guaranting to N.Y. & N.H. all the territory without those bounds to which their encroachments had been extended. Instead of complying with this condition they have gone on in their encroachments both on the N.Y. & N.H. sides & there is at this moment every symtom of approaching hostility with each of them. In this delicate crisis the interposition of Congress is again called for, & indeed seems to be indispensable; but whether in the way of military coercion, or a renewal of former overtures, or by making the first a condition of a refusal of the last, is not so unanimously decided. Indeed with several members & I may say States in Congress a want of power either to decide on their independence or to open the door of the confederacy to them is utterly disclaimd,[2] besides which the danger of the precedent, & the preponderancy it wd. give to the Eastern scale deserve serious consideration. These reasons nevertheless can only prevail when the alternative contains fewer evils. It is very unhappy that such plausible pretexts if not necessary occasions of assuming power should occur. Nothing is more distressing to those who have a due respect for the constitutional modifications of power than to be obliged to decide on them.

We have nothing fresh from Europe. We are informed by the way of N.Y. that the Earl of Dunmore has arrived at Charleston to claim from Earl Cornwallis the fulfilment of his promise. No individuals in his Suite are named.

I am Dr Sir Yr Sincere friend & hbl servt.

Js. Madison Jr.

[*P.S.*] We have fresh & indubitable confirmations of the apostasy of Deane from the Independance of his Country.[3]

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:38–39.

[1] For Lord George Germain's "intercepted letters," see Thomas McKean to Washington, July 17, 1781, note 1.

[2] For the recent proceedings on Vermont, see William Floyd to George Clinton, January 7; and Samuel Livermore to Meshech Weare, January 8, 1782.

[3] See Connecticut Delegates to Jonathan Trumbull, January 21, 1782, notes 3 and 5.

Samuel Osgood to John Lowell

Dear Sir, Philadelphia Jany 23d. 1782

I had the Pleasure of receiving your Favor last Saturday. I conclude it was lately wrote, tho' without Date. I am mortified, that I have not had the good Fortune to receive the Letters you mention to have written. The three several Matters you desire me to attend to, I shall do with the greatest Satisfaction & I must acknowledge, that at present I am doubtful of having any Success with Respect to two of them. The first is the Bond given to the Treasurer of the united

States by Capt Hanadan. We had an Application if I do not misremember from Mr. Morton last Fall of a similar Nature, & the Bond was refused. I will examine the Journals of Congress as to the Case you men[tion] as well as the other of Mr. Morton's.[1] The next is the Case of Mr. Bingham. I have had some Conversation [with] him upon the Matter; he seems very much [dis]satisfied alledging that he has suffered considerably in his Property attached in Boston; & that as he was but a mere Instrument acting in this Matter only by the Express Orders & Direction of the Governor of the Island he seems to think the Suit is vexatious & that he ought to have Damages of [them] that commenced it.[2] As to the united States discharging the Debt at this Time I fear it is improbable if not impossible. I shall call on the Financier who acts with Dicision in his Business & if he says he cannot discharge it otherwise than by Security I apprehend it will not be done. If upon farther Examination I should find a more formal Application will be necessary in either of the Matters I shall immediately inform you of it. I have enclosed you a Letter which I have had laying by me since November last.[3] The Subject of it is respecting the Bank & myself. The national Bank having been incorporated on the 31st of December last, there are many Things in that Letter superfluous—those that respect myself are of some Consequence because I now find myself here without money & in this Situation I cannot remain. I find no Difficulty in disposing of Draughts upon the State—my fear is that they will not be discharged. I shall draw on the State for about twelve hundred Dollars in the Course of the year & with that Sum I find it is almost impossible to live in any Kind of Fashion so exorbitant is the Price of every Thing in this City.

I cannot doubt of your or Deac[o]n Davis's Friendship in this Matter should it be needed.

The Bank Notes succeed beyond our most sanguine Expectation. People seem to be fully satisfied with & fond of them—a large Sum of them is in Circulation & they do not bring them in for Payment in that Quantity which might have been expected. Many Gentlemen have diposited their Money in the Bank—& I think it is probable that Merchants of Interest will not only find it safe but very convenient to lodge all their Money with the Bank & negociate their Business thro' them. The Directors meet about Two Hours every Tuesday Evening to examine the State of the Bank & to make such Rules and Regulations as they find necessary.

I am, Dear Sir, with Sentiments of the highest Esteem, your most humble Servt. Samuel Osgood

RC (DLC: Osgood Papers).

[1] See Osgood to Lowell, February 2, 1782.

[2] William Bingham was being sued by Boston merchant Samuel Cabot, the owner

of the privateer *Pilgrim* in 1779 when it had sent the Danish brig *Hope* as a prize into Martinique, where Bingham, American agent there, had returned the proceeds of the prize's cargo to the Danish owners as neutral carriers. Despite the intervention of Congress, the suit was not settled for more than 20 years, and Lowell was one of several lawyers who became involved in the case. See these *Letters*, 14:239–40, 15:370; and Robert C. Alberts, *The Golden Voyage. The Life and Times of William Bingham, 1752–1804* (Boston: Houghton Mifflin Co., 1969), pp. 78–79, 86, 365–67, 417–18.

[3] For this enclosure, see Osgood to Lowell, November 13, 1781. On the verso of the enclosure, Osgood also drafted the following brief January 24 letter to Lowell, undoubtedly an outgrowth of his reflections on the William Bingham case noted above and the pending consular agreement which was adopted by Congress on January 25.

"I am induced to ask you if Foreigners, who have been concerned in our Maratime Courts, have suffered, in Case of Appeal, for Want of some public officer authorized to take the Property into Custody, until the Court of Appeals have finally determined the Matter. That they have, has been alledged here—& I know not but it is true."

Virginia Delegates to Benjamin Harrison

Sir Philadelphia Jany. 24. 1782.

The minister plenipotentiary of France communicated to us this afternoon the inclosed extract from a letter of Count de Vergennes.[1] We are happy to find, that the supplies, which your excellency negotiated with the minister, are ready for transportation to our country. Being informed, that the last letter, which you received from Mr. Luzerne on this subject, threw a damp on the prospect of obtaining them, we conceive that no particular steps have been taken for the forwarding of them.[2] Fearing too, lest a delay in sending them on might prove injurious, if not fatal, to Virginia, we answered the communication by the inclosed letter.[3] We trust, that, howsoever we may have passed beyond the bounds of our authority in this matter, it is justified by the present situation of things: since it is probable, that, unless the Hermione, which is now ready to sail from Virginia, should be the bearer of some direction for the conveyance of these stores, they may be witholden from us for a twelvemonth, and the express cannot wait, or indeed call at Richmond for an answer from the executive.

If, however, we have counteracted any scheme, which your board may have adopted in this business, it is possible, that the mischief may be corrected, by contradicting our dispatches, in a letter, addressed to count de Vergennes and sent by the Hermione.[4]

We have the honor, sir, to be with great respect, your excellency's mo. ob. servts.

Jos. Jones.

J Madison Jr.

Edmund Randolph.

Charles Gravier, Comte de Vergennes

RC (NcU: Preston Davie Collection). Written by Randolph and signed by Randolph, Jones, and Madison.

[1] This brief extract from the comte de Vergennes' instructions of October 8, 1781, is in the Executive Papers, Vi.

[2] For the supplies that Harrison had "negotiated with the minister" in February 1781 as special envoy from the Virginia assembly and the chevalier de La Luzerne's letter which "threw a damp on the prospect of obtaining them," see Madison, *Papers* (Hutchinson), 4:42–43nn.1–2. For superintendent of finance Robert Morris' refusal to permit purchases made by Virginia in France to be charged against the United States, see Morris, *Papers* (Ferguson), 5:72–75, especially n.2.

[3] See the following entry.

[4] For the sailing of *L'Hermione* and a discussion of Virginia's response to this letter, see Madison, *Papers* (Hutchinson), 4:43–44nn.4–5.

Virginia Delegates to the Chevalier de La Luzerne

Sir Philadelphia January 24th. 1782

We have taken into consideration the Communication which you were pleased to make us this afternoon of that part of his Excellencys Count de Vergennies late Letter which relates to the mode of forwarding the supplies furnished by his Court to the State of Virga.[1] Being Sensible of the difficulties under which our Country labours from the want of Military Stores, we cannot do otherwise than recommend that those which our generous Ally has directed for the use of Virginia, should be forwarded in French bottoms Without delay. We are confident that every measure tending to the secure transportation of these Stores will be adopted, and particularly that they will be sent under a convoy of a convenient force, if it be practicable.

We shall inform the Governor of Virginia of the Steps, which we have now taken, and doubt not that they will prove acceptable.

Altho' Mr. Harrison who negociated these Supplies with you mentions in his Letter of the 29th of May last, the propriety of sending them to the Delaware, yet we beg leave to refer you to his preceding Letter of the 17th of Feby in which he observes "that it would add greatly to the obligation if the Stores could be transported in a Frigate to York Town in Virginia." The latter Letter having been written at a Season when our ports were infested by British vessels we conceive that the former suggests, for our present circumstances, the most convenient & advantageous plan.

But should the position of the Enemy make it unsafe to enter Chesapeake bay, we are convinced that due precaution will be taken.

FC (Vi: Executive Papers). In a clerical hand.

[1] See the preceding entry.

Arthur Middleton to Charles Cotesworth Pinckney

Dear Sir Philadelphia January 26th, 1782

I hear you left Stanton yesterday & proceeded on your Journey southward. I fear you will have had many a disagreeable hour before you receive this. I find the regulation last made with regard to Promotions goes farther than I imagin'd when I mentioned it to you. It dissolves the Classes of States by districts, which was injurious to some of those who were linked together like the living & the dead in the Poet. The Two parts were combined that the one might carry through the other, tho' the whole stroke was intended meerly to clear the way for a favorite promotion: it has not been since pushed but we expect it daily. V.[1] is still sub judice; several Attempts have been made to carry the point of admission to the Union—but a few were obdurate; she will probably at least be kept out for a Time, if not forever, & punish'd in the end for her Iniquities. I inclose all the Newspapers which you neglected to send for—if upon your arrival you should find any ground, or anything else to which I have a claim, that can be of sevice to you, I hope & beg you will make the same use of it as if it were your own—remember me to Sally & Harriet & the little ones, & believe that I am with the best wishes for your health & happiness, Yours affectionately, A.M.

MS not found; reprinted from SCHGM, 27 (January 1926): 28.

[1] That is, Vermont.

John Hanson to the States

Sir, Circular. Philadelphia. 27th. Jan. 1782.

I have the honor to inclose your Excellency a copy of an Act of Congress of the 25th instant, recommending to the several Legislatures to establish a speedy mode of administering Justice between the subjects of His Most Christian Majesty and the Citizens of these States; and likewise to vest persons in the neighbourhood of the Seacoast with power to secure Ship-wrecked property in the most effectual manner.[1]

Individual Justice is evidently to be the primary object of the Laws above recommended; but our national reputation for justice, generosity and humanity must necessarily be affected by the proceedings of the different Legislatures upon this subject. These considerations, I hope, will have their due weight in the moment of deliberation.

I have the honor to be &c. J. H. Presid.

LB (DNA: PCC, item 16).

[1] The enclosed January 25 resolve was designed to implement the consular convention with France adopted by Congress the same day, a matter that had been before the delegates since July 27, 1781, when the chevalier de La Luzerne had submitted a memorial with a "Projet de Convention" for regulating the powers and duties of consuls and vice consuls pursuant to article 31 of the 1778 Franco-American treaty of commerce. See *JCC*, 21:792, 804, 845, 896, 1053, 22:17–25, 43–44, 46–54; and PCC, item 95, 1:246–77.

Arthur Middleton to Edward Rutledge

[January 27, 1782][1]

This will be delivered to you by Mr. H.[2] who will acquaint you that your Harriot and Henry set out on the 25th (Two days ago). I fear they will have a tiresome Journey and it will be some time before you see them.

Nothing material sir has happened here of public Consequence—but a Trial to exchange Cornwallis and to make Vermont independent. We are in daily expectation of hearing from the South at this critical Juncture. Mr. H. came with a Commission for Morris, I do not thoroughly understand it but guess from what I hear it is not much to our advantage. I think we are not well used. I promise myself you will have seen my family before this reaches you and that I shall have an account of them all soon from you. My anxiety here great and daily encreasing so that I learn whether I shall have to continue much longer here tho' there are some points I could wish to see got over by my coming homewards.

I inclose you some Newspapers tho' I dont know that they contain anything worth your perusal. I flatter myself by hope of receiving from you a Circumstantial account of the situation of our Country in all particulars; it will serve as a guide for our endeavors to releive its Distresses. You on the spot may see and know of [measures?] necessary that we could only guess at and recommendations from a seat of war cannot fail of operating good effects whilst the best reasons urged here [*are*] of no avail.[3]

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] This letter to his brother-in-law (Rutledge had married Middleton's sister Henrietta), was actually one of four drafted by Middleton, mostly in shorthand, on a single sheet of paper in late January 1782. The first of these was to Charles C. Pinckney, for which see Middleton to Pinckney, January 26, 1782. This letter to Rutledge was drafted, according to the opening paragraph, the following day. For Rutledge's April 14 reply, see *SCHGM* 27 (January 1926): 12–13. For the other two letters, see note 3.

[2] George Abbot Hall, for whom see the following entry, document note.

[3] This sheet also contains Middleton's drafts of brief letters to Aedanus Burke and to his wife. To Burke, Middleton wrote: "To convince you that I have not forgotten I inclose a few Newspapers. The Island we are told has gone into the Spirit of pri-

vateering and there is no chance of getting a Vote in her favour, but shall still expect an opportunity. I am hopeful of receiving very shortly a Line from you putting the situation of our Country, I need not tell you I am very anxious." And to his wife, Mary Izard Middleton, he was equally brief. "Mr. H. will convey this Line to you. I promised to [write?] fully but my anxiety is so great that I cannot. I have not received a single Letter or heard a word of you which gives me real trouble. . . . Until I know that you are out of reach of Insult the less you hear from me the better and you should be satisfied to know that I am well."

In addition, the Middleton Papers contain drafts of two other undated letters—for his wife and for his father, Henry Middleton—reflecting Middleton's views on conjugal and filial duty. Because few such expressions of his personal life survive, these suggestive texts are also offered at this point.

"A regard to your Ease and happiness," Middleton explained to Mary, "as far as attainable in your Situation has dictated necessity of a long & painfull Silence. I trust when my reasons are heard and well weighed it will be imputed to affection for friends and not to slight. I have a Wife & Children, a father, Brother, Sisters and other Connections whom I tenderly love & with whom I yet hope to spend a happy Period of Life and the *time* I flatter myself not far distant. In the interim let them be charitable & suspend their Judgments; in matters of correspondence let them reflect upon the Danger of their own Situation and the delicacy of mine. Suffice it to them to know at present that I am well, my heart is firm and my Spirits unbroken. Let them pity not condemn me. The poignant anxiety for you all to which I am daily a Victim would be unsupportable were it not for the hope that I shall be recompensed by double pleasure when we meet. For you I suffer. Of myself I am regardless except a conscience which I must obey. Present duty and affections where due and believe I have every tender regard of an Husband and Father and shall have till Death."

And under the heading "*HM.* Great pleasure at letter and reasons of that pleasure," Arthur penned the following cryptic notes for a letter to his father:

"My time of Life.

"My education for which I am indebted to you.

"The situation in which fortune and your Bounty have placed me should make me not turbulent.

"I shall throughout Life from [sense?] of Duty [fight?] Tyranny in every form.

"While I have existence I shall Labour to establish a freedom of my Country upon a Basis not to be shaken at least for ages.

"Your letter by Kinlock received here being a Copy, hearing of the arrival of Horry and not having opportunity I did not send.

"My intention of returning home soon, hope in peace to remain.

"Having given the prime of my Life to the public, I shall claim to be full member of Emeriti.

"The fresh instance of my Country's approbation by delegating its greatest Trust.

"[Uneasy?] for my Brother, anxious for him now and hopeful for his [well being?]."

South Carolina Delegates to John Rutledge

27 Jan. 82

The Superintendant of Finance has received Orders from Congress to report a table of rates at which the different species of foreign Coins most likely to circulate within the United States shall be received at the Treasury thereof. He has not yet made his report,[1] but as the value of Several Denominations of Gold & Silver were by an Agreement entered into by many Principal Planters & Merchants some years ago raised considerably above their intrinsic value in hopes of keeping the Specie in the State, which by no means answered their expectations, & as the relative value of some species of Coin compared with others, for instance English & french Coin, with Spanish & Portugal, would if the value then fixed upon the latter was to continue open a Door for Speculation & be of considerable Injury to the State, & there being now little Specie in Circulation, we submit whether the present would not be a favourable opportunity to lower the Denominations so raised to their true & relative value & as they formerly passed current amongst us, especially as little or no Injury will be done to Individuals by this measure if speedily adopted but whether this had best be done by an act of Legislature, the voluntary agreement of Individuals, or remain as it is we must submit to the Judgment of our Constituents—we conceived it our Duty to mention the subject for their consideration. We have not been able hitherto to get the 8 Bales of woollens from Baltimore & Wilmington nor could we prevail on any of the waggoners who brought up the Indigo to return by that rout to carry them on with them to Carolina, but we now have taken steps to have them forwarded to this City, & are in hopes of receiving them in time to send on with the waggons still expected.

We have the honor to be with the highest respect, Your Excys. most Obedt. h Servts.

FC (Paul Francis Webster Collection, 1985). In the hand of Thomas Bee, and endorsed by him: "By Mr. G. A. Hall."

[1] Thomas Bee, who drafted this letter, had served on the committee which proposed on January 7 that Robert Morris prepare a table of exchange rates for foreign coinage. See *JCC*, 22:8–9. Instead of reporting on the assigned subject, however, Morris took the opportunity to prepare, with the aid of Gouverneur Morris, a highly technical plan for an American coinage and the establishment of a mint, for which see Morris, *Papers* (Ferguson), 4:25–40. The plan was submitted to Congress sometime between January 18 and 28 and referred to a grand committee which consulted with Morris on February 16 when it unanimously voted to recommend that a mint be created—a proposal that Congress adopted on February 21. See ibid., pp. 60, 125, 239; and *JCC*, 22:86–87.

Arthur Middleton's Memorandum on a Vermont Report

[January 28? 1782][1]

The latter part of the Report seems intended to allure the dessenting States to a compliance, by giving the Face of an Act of power to what would in reality be a humiliating Condescention; We have been & continue oppos'd to the admission of a 14th State for reasons which appear to us cogent; among others because it will throw a

Ballance of power where it is not wanted, & because it will be a precedent for future Divisions of the larger States—but above all because Congress have no power to grant such admission, & the only ground hitherto pleaded for the measure has been that of policy & not of Right.

MS (Paul Francis Webster Collection, 1985). In the hand of Arthur Middleton.

[1] This memorandum, which was written by Middleton on the FC of the South Carolina delegates' January 27 letter to John Rutledge, appears to be an objection to the closing paragraphs of the January 7 report of the Vermont committee which had been debated throughout the month, most recently this date, when it was reassigned to a "grand committee" to which Middleton was appointed. See *JCC*, 22:57–60; and PCC, item 40, 2:237–46. See also William Floyd to George Clinton, January 31, 1782, note 4.

Middleton probably also drafted at this time the following notes stating his objections to the Vermont report on the floor of Congress.

"I do not agree. Because

1. It is not in the power of Congress.
2. Done upon Policy not Right.
3. Not [i.e. *New*] York protested against the Proceedings of Congress. New Hampshire desir'd Assistance.
4. It will give a *Bias* to the Balance of power.
5. Seed of Partition of *all* the States.
6. Time to give the Union a Test.

New England wants to add a Note."

Middleton Papers, ScHi.

Another document in the Middleton Papers which underscores his preoccupation with the Vermont affair is the following draft motion challenging Congress' constitutional authority. Since it is not recorded in the journals, it is not clear whether it was ever introduced in Congress.

"That the Sense of Congress be taken whether any State or States can, or ought to be dismember'd by a Vote of Congress, & the Territory so dismember'd admitted into the Union without the Consent of the State or States affected, being first obtaind—& whether even after such Consent is obtaind, the present powers of Congress extend so far, as to authorize such Admission, before an Alteration is made by Congress in the Articles of Confederation, & such Alteration afterwards confirm'd by the Legislature of every State."

See also the following two entries.

Arthur Middleton's Notes for a Committee Report

[January 28–February 14, 1782][1]

The Committee appointed to investigate the Facts respecting the Affairs of Vermont, & to recommend what is necessary to be done by Congress in the matter.

Report—That from Sundry papers, Letters &c. referred to them it appears that the People of the Grants have &c.

Whereas the said People have refused to abide the recommendations of Congress of the [. . .][2] by a paper sent to Congress, that the said Acts of Congress are null & void.

That New York & New Hampshire do settle the Lines & Jurisdictions &c.

That the Commander in Chief detach   men to check the unwarrantable proceedings of the People of said Grants &c.

Whereas there is the best ground for supposing the People of the New Hampshire Grants have Communications with the British & are contriving to league to disconcert the Operations of the American League & thus to continue the War &c.

It becomes necessary to stop Proceedings so destructive to the Common Cause &c.

The Troops to command the peace, to seize Insurgents &c. & send down Hostages.

To publish an Amnesty to Deserters.

MS (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] These notes appear to be Middleton's preliminary outline of the report of the grand committee appointed January 28 that was presented on February 14. See *JCC*, 22:105–14; and the preceding and following entries.

[2] Apparently those of August 7 and 20, 1781, for which see *JCC*, 21:836–39, 886–88.

Arthur Middleton's Notes for Speeches in Congress

[January 28–March 1, 1782][1]

I have been *silent*, and wished to continue so—to give every chance to the advocates for the admission, but as the matter is press'd, I should deem silence Treason against my Country—America. The Gentleman of Jersey[2] *bold* if his faith in all things is equal to that of Politicks. He would make a good Catholic. If I could believe that Power in the Confederation, I should find no difficulty in believing Transubstantiation &ca.

Political necessity is ever the Tyrant's Plea—it made Parliament Triennial—Septennial. The same plea may make Congressional representation not annual but perpetual—it has made Parliament *venal*. It may abolish all accountability of Delegates, by abolishing *yeas and nays* or by sinking them when printed for public Inspection. Confidence of the Congress is *lowered*. Political necessity has established apparently a Temporary Convenience, probably a future destruction of thousands. There have been Dupes to one kind of Paper—there may be Dupes to another.

The Argument of (Cornell) of the Gentleman from Rhode Island would make us believe that we have a very formidable power to contend with.

Answer. Britain within our Bowels. There was a time when 48,000 men were not thought so *Terrible*—tho' America then stood single and *unallied*.

A Threat has been used of withdrawing the Southern army.

Answer. I will agree with the New England States to league and guarantee the Independence of Vermont.

For my part let the Force of the Union be tried, if questions in which the public weal is concern'd are to be *external*, let it be declared.

The Gentleman from Jersey has *labour'd* [. . . .][3] he cannot bring forth *Conviction*. He has *quoted many* Extracts from the Justificatory memorial.[4] I beg leave to observe that tho' that memorial was very proper for the occasion intended by it— yet I apprehend the reasonings should never be applied to the proceedings between Congress and Vermont. The memorial speaks of America being *defacto* in possession of Independence. Does it say that Cause of Opposition to Great Britain was such *defacto* possession—or rather does not the Gentleman remember that the American revolution was declared to be set up *de Jure*.

I shall ask the Gentleman a few Questions. Does the Justificatory memorial say anything of a 14th State—does it not expressly mention the No. 13? In the Directions to the Commissioners for Peace are not the *States* said to be 13?[5] Do not the Boundaries laid down *include* these Lands within the *13* States? Does not the Argument *defacto* justify any *revolt* or Insurrection of the People? Nay; may not the Enemy, or British *Prisoners* take *hold* and plead it? May it not be pleaded in Charles Town, in New York, &ca?

State of Vermont[6]

Better to hold Sacred the Articles of Confederation than the 10 Commandments—the one is mischief to the Individual, the *other* to the public.

They are formidable as the people of the land explor'd by Joshua to whom the Izraelites were like Locusts—and they are made formidable for the same purpose. Query.

The people of Vermont will be content to be divided between the Neighboring States (Postliminium).[7] They are adverse to the British (undue secrecy of the Leaders), adverse to Independence because they are sensible of the Expence of Government. Smith[8] says ⅔ are against Independence. *He* is a *New England man* and [. . . .] Boudinot's Informant says ⅖ are for Postliminium, ⅖ Indifferent, ⅕ for Independence.

Maxims we should find expedient for *standing still without Harm*, when we cannot go *forward to Advantage*.

Fundamental Constitutions should never be changed but in a regular, uniform manner. *This* is the security of civil liberty.

Public liberty is precarious when the sup[erintending?] power dispenses, restrains, extends general Laws.

Good uses may be made of Prerogative by them (Case. V.) there is no power.

The Articles of Confederation by Limiting the power of admission into the Union, supposes that after having established an equality of Votes between the large and small states, a *fear* in the Larger, that the small states might in future wish a partition of the large states.

Arb[itrary?] power lodged can never be delegated. (a m.) *Commissn.*

The Exercise of power anticonstitutional, is *abuse*.

The Solidity of an Institution must come from a strict adherence to original Principles.

Too close a union of the [leaders?] of the body politic becomes dangerous to the common Interest by becoming independent of the great body or Mass of the people.

Congress has *nurs'd* [. . .] *Checking* the Bus[iness?] by advising New York and New Hampshire to supineness.

Therefore Prov[ided?] that it had better [. . . .] *I* should have been stropt. I am sure I should have *deserved* it.

Mr. Boudinot's astonished at the Information that *Policy* guided the *Votes of Congress to gain time.*

Invitation to make a Southern State to [*gain*] equilibrium.

Soldiers will not fight against Brothers.

They [hold?] it our possession of Independence *de facto.* (denied by New York). The British are *de facto* possessed of *New York and Charles Town.*

The Officers of the Army have Lands granted—(*turn their own policy against them*) by making the Grants *good*.

They are formidable—equal the British—the abundance in wheat and Beef [. . .] it a strong *Country*.

Forgot his own account from his Friend—that ⅕ only want Independence.

Beleives the Congress has a Power to admit. The only [person?] who has roundly Asserted his Beleif of such a power. He will say with Mr. *Pitt*—if it is not it should be *there*.

The Commander in Chief says next Campaign must make us *free* or subjugate us to Great Britain (query if so).[9] Bewail'd the states would entail themselves by not giving Independence.

New York cannot conquer Vermont.

The General trembles for the Consequences.

He gives his opinion that he may not have part in the Mischief.

It will give our *Ally* a good opinion of us.

New York would but Clinton prevented by threat to dissolve the Legislature (we know New York only per their Legislature).

Proposal of a *Census*.

Commissioners (as they are called) have no new power—have propos'd *Nothing*.

MS (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] The following five drafts of notes for speeches appear to have been prepared in the context of Middleton's work on the grand committee appointed on January 28 to reconsider documents presented to Congress in support of the claims of Vermont, for which see the two preceding entries. It is not clear whether Middleton presented these arguments during committee deliberations or debates in Congress on the committee's report, but for the deliberations of the committee, the submission of documents to the committee by Vermont agents Jonas Fay and Ira Allen, and the March 1 defeat of the committee's major recommendation—that Vermont independence would be recognized if it gave up its annexed territories—see William Floyd to George Clinton, February 5, note 1; Samuel Livermore's letters to Meshech Weare, February 5, 11, 19, note 2; Samuel Osgood to James Lovell, March 2, note 2; and New York Delegates to Clinton, March 5, 1782.

[2] That is, Elias Boudinot, who owned lands in Vermont under both New York and New Hampshire titles.

[3] Approximately five words undeciphered.

[4] Not identified.

[5] At this point in the text Middleton footnoted the following sentence. "These Directions were given long since the Vermont Claim to Independence."

[6] This is a composite text from two nearly identical sets of notes.

[7] "The right or rule of law which, when persons or things taken by an enemy in war come again under the control of the state to which they belonged, revives their former rights." *Webster's Dictionary*.

[8] Seth Smith, of Brattleboro, Vt., for whom see William Floyd to George Clinton, January 31, 1782, note 3.

[9] Beneath this sentence Middleton added, "He is not infallible."

Charles Thomson's Minutes of Congressional Proceedings

January 28th. 1782.[1]

That the report of the board of admiralty respecting a vessel dispatched by Mr Parsons with news of the capture of St Eustatius be referred to the Superintendant of Finance to report,

That the dead letters directed to A Lee Esqr. be referred to the superintendant of finance,

That the Superintendant of finance report the salary to be allowed to the depy secy. of Congress, That a letter of 25 from the Sup. finance be referred to the Secy for foreign affairs who is to consult the judges of the court of appeals & report. Attest Cha Thomson secy.

MS (DLC: Robert Morris Papers). In the hand of Charles Thomson.

[1] This day Congress adopted a number of resolutions redefining the duties of the Secretary of Congress—in order to relieve the president of a number of routine duties and to improve the administration of the executive departments. Accordingly, Congress directed "That it shall be the business of the Secretary . . . To transmit to the Superintendant of finance, all papers referred to him by Congress; as well as an authenticated copy of every act, ordinance and resolution of Congress touching the finances of the United States. . . ." *JCC*, 22:55–57. Thereafter, Secretary Thomson regularly sent Superintendent Robert Morris certified extracts from the proceedings of Congress related to financial affairs, and to facilitate this work he maintained a volume of such proceedings which he exchanged with the superintendent's office almost daily.

Thomson, however, failed to enter a number of these financial resolutions and orders in his regular journals of Congress, which are therefore found only in the two volumes of proceedings he prepared for the superintendent (a second was opened February 17, 1783), and these are located in the Robert Morris Papers of the Library of Congress rather than in the Papers of the Continental Congress at the National Archives. As they were known to Gaillard Hunt when he was editing the *Journals of the Continental Congress*, most of them have been incorporated into the Library of Congress' edition of the journals, and 79 entries (from January 28, 1782 to May 11, 1784) are cited in his notes to the printed Journals with the designation *Morris Papers, Congressional Proceedings*. Hunt did not, however, reproduce all such entries precisely as Thomson recorded them, as in the case of the present entry, from which he extracted only the first, third, and fourth orders (cf. *JCC*, 22:60).

This entry from the "Congressional Proceedings" which Thomson prepared for Morris is reproduced here as a reminder that the entries found in the printed journals are often a composite of sources, drawn from Thomson's secret journals of Congress (both foreign and domestic), as well as his regular rough journals, and various draft motions, resolutions, and committee reports, not all of which are even located in the PCC. For other aspects of the problem of reconstructing the proceedings of Congress from the manuscript records maintained by Thomson, see also Thomson to the States, November 5, 1781, note.

John Hanson to Nathanael Greene

Sir, Philadelphia 29th. Jan. 1782.

Your favour of the 9th ult. was received last evening and shall be laid before Congress this morning.[1]

The exceeding narrow limits to which the possessions of the enemy are confined by a series of the most judicious and fortunate operations, must be the source of infinite discontent and an inconceivable mortification to their unbounded ambition and intolerable pride; at the same time that it affords every Friend to his Country singular Joy and satisfaction. Nothing can be a more convincing proof of their weakness and hopeless situation, than the base unworthy acts they are practicing and the infamous means they have recourse to, in order to support themselves in their diminishing Conquests and distress us. But I hope every practicable measure will be adopted to defeat their wicked designs. The partial failure of their attempt to embody the Tories I consider as a favorable Omen; and as to the Negroes, the state of servitude and subjection, to which they have ever been accustomed, has well fitted them for the inhuman purposes to which they will be converted. But with respect to the savages, every precaution within our power should be used to render the plans of our enemy ineffectual.

We have no recent intelligence from abroad and a greater tranquillity seems to prevail at home than is usual in times of War. Our Finances, the grand source of all our late misfortunes, are happily restored to better order, and managed with such wisdom, attention and abilities as afford us the most pleasing prospects.

I have the honor to be, with great respect, Sir, Your obedt. & very humble Servant, John Hanson Presidt of Cong

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RC (CSmH: HM 22380). In a clerical hand and signed by Hanson.

[1] Greene's letter, which is in PCC, item 155, 2:373–80, was endorsed by Charles Thomson: "Read Jany 29. 1782. So much of the within as relates to retaliation referred to the Committee appointed to Confer with the Commander in Chief. Mr. Carroll &c."

John Hanson to Philip Thomas

Dear Doct. Philadelphia Jany 29th 1782

I had just time by the last post to Acknowledge the receipt of your two letters, the 5th & 14th—and to inclose you a Copy of a Letter from Hoskins Hanson to A[lley], as follows dated the 15th Instant. "One William Farr has taken up and brought to me your Fathers negroe Fellow advertized in the Maryland Gazette by the name of Ned Barnes. I have become Security for the reward, and Keep him 'till you Send for him, or I can get an Opportunity of Contriving him to you without Danger of his escaping. What the reward was, you best Know, which will be necessary to Convey at the time you send for him I am &c." I requested you would get a Safe hand to go down immediately for him, as it would not be Safe to trust him with Toney. That the reward offered for takeing up and bringing him home, or Confineing him in Any Goal, was thirty hard Dollars, which you would send at the same time. My Letter with the news papers inclosed, I Sent under Cover to Peter Hooffman, and desired he would forward it by the first Opportunity, but in Case of miscarage, I now think proper to repeat my request. When you get him home, employ him as you think proper. While his wife Continues at home, I suppose there will be no danger of his makeing a second attempt to get off—you may let him Know, that his pardon depends upon his future behavour—that if he behaves well, and endeavours to make Amends for his past Conduct, I will when I return home purchase his wife, if her master will Sell at a reasonable price. I hope Mr Bier will not think of prosecuting him for Stealing his horse. If he should pray endeavour to pursuade him from it. Would rather make him Some Satisfaction for his trouble and Expence in Sending after him—if he is prosecuted tho' he should be Acquitted, a great deal of his time must be lost.[1]

It gave us great pleasure to Know you had got Safe home, and found the Children well. The approaching Spring will I hope prove favourable to you in your present disorder, which I would fain hope from the Opinion of all the Doctors you have Consulted, is not at all dangerous, and that with proper Care you will in a few months be restored to your former health.

I received a letter from A by the last post. His Situation Cuts me to the Soul, and allmost forces me to pour forth my Curses on the heads of those who have been the Occasion of it. He is I am afraid in want of even the Common necessarys of life. The red money[2] which he received from the public as Specie, And which is all he has, will purchase nothing at Market, and the tardiness of our Executive, in Supplyg me with my allowance (Scanty as it is) as a Delegate in Congress, puts it out of my power to assist him from hence. Pray Send him a load of flour as soon as you Can. Toneys Crop of Corn has turned out well, 'tell him I hope I Shall have no Occasion on my return home, to find fault with his Conduct. He may Sew flax & Hemp if you think it worthwhile, we have Enough on hand I suppose for our own use. There never was Since the Commencement of the war, So little news Sharing as at present, and for some time past, every thing is Still; we have had no news from the southward Since the 21st Novr, which was the date of Gen. Greens last letter, and that Contained nothing of Consequence. A motion has been made in Congress, to promote Colo O Williams to the rank of B. General but whether it will Succeed, is uncertain.[3] Every one agrees that his merit and long Services entitle him to it, but as we have a great number of General Officers more than is necessary, and who will it is probable in a short time be arranged out on half pay, it may not be thought Consistent at this time, to appoint Any more. Your mother I thank God is getting very well, and little Cate has had no Complaints Since you left us. My most respectful Compliments to Mrs. Price—in which Mrs. Hanson joins me; and we also desire our Compliments may be made Acceptable to Mrs. Young and the other Ladies of our Acquaintance in Frederick. Ours and Catys love to the Dear little ones. And our wishing you health and happiness, Dear Doctr. yours most Affectionately, J H.

[*P.S.*] Remember me to all friends.

RC (MdHi: Hanson Letters).

[1] This paragraph concerning the recovery and possible future treatment of Ned Barnes is essentially a repetition of Hanson's January 23 letter to Thomas "by the last post," which is in the Norton Collection, OClWHi.

[2] That is, bills of a special £200,000 Maryland emission of May 1781 earmarked for the expenses of the southern campaign. These red bills, although receivable for 1781 taxes at par and redeemable in specie at 7s 6d per dollar after December 25, 1784, depreciated rapidly and found a very limited reception in the market place. See Kathryn L. Behrens, *Paper Money in Maryland, 1727–1789* (Baltimore: Johns Hopkins Press, 1923), pp. 72–75.

[3] There is no evidence in the journals when or by whom this motion was made. According to Charles Thomson's dispatch book, Nathanael Greene's October 30 letter to Congress recommending Col. Otho Holland Williams' promotion to brigadier general had been referred to the "Secy. at War" on November 29, 1781. See PCC, item 185, 3:8. At some point thereafter, perhaps when Washington's December 4 letter of support was read on the 6th, the subject was referred to the committee of five, chaired by Daniel Carroll, appointed on November 20 to consult with the commander-in-chief on filling the ranks of the army for the ensuing year. See PCC, item 155, 10:405–8; and Washington, *Writings* (Fitzpatrick), 23:370. That committee may have made a preliminary motion in January, but its report recommending Williams' promotion was not submitted until March 22 when it was defeated. See *JCC*, 22:146–47; PCC, item 19, 6:561–66, item 186, fol. 4. When General Greene's further appeal of February 10 was read in Congress on May 8 a two-day confrontation occurred which finally resulted in Williams' advancement following a temporizing motion by James Madison, for which see *JCC*, 22:248–49, 251–53; PCC, item 155, 2:417–20; and Madison, *Papers* (Hutchinson), 4:224–25.

John Hanson to Ebenezer Hazard

Sir, Philadelphia 30th Jan. 1782.

I have the honor to inclose you a copy of an Act of Congress of the 28th instant, by which you will observe that you are elected Post Master General.[1]

On this occasion permit me, Sir, to congratulate you and to hope for your speedy acceptance.

I have the pleasure to inclose you likewise a copy of an Act of Congress of the 19th of October last, for your direction and information;[2] and am, with great respect, Sir, your &c. J. H.[3]

LB (DNA: PCC, item 16).

[1] *JCC*, 22:60. By terms of this "Act," Congress simultaneously elected Mr. James Bryson "assistant or clerk to the postmaster general," a copy of which Hanson also sent to Bryson with a brief cover letter this day. PCC, item 16, fol. 140. Letters from Hazard and Bryson accepting these appointments, both of January 31, are in PCC, item 61, fols. 101–4, and item 78, 4:295–98, respectively.

[2] This October 19 resolve ordered a reduction in postage "to what it was at the commencement of the present war," and specified the salaries of the postmaster general and his assistant. *JCC*, 21:1066–67.

[3] Hanson also wrote brief letters this day to William Geddes and John Dyer Mercier notifying them of their appointments on January 28 as auditors in the treasury department. See *JCC*, 22:60; and PCC, item 16, fol. 141.

Samuel Osgood to Henry Gardner

Dear Sir. Philadelphia Jany. 30th. 1782

I have lately made two Draughts upon you without Advice thereof.[1] One in Favor of the Honble. Robert Morris Esqr. for four hundred Dollars which has probably before this been presented for Payment. The other in Favor of Clement Biddle Esqr. for one hundred & fifty Dollars which will be forwarded by the Post that carried this. These two Sums with what I have drawn for before will amount to about Eight hundred & fifty Dollrs. including one hundred & thirty three ⅓ Dollrs. Recd. of Mr. Marboy on Colo. Armands Draught.

If I do not misremember a Resolve of our Legislature pass'd last year limiting the Draughts of the Delegates to Two thousand Dollrs. new Emission when it was current at 1⅞ for one for their annual Expences which is equal to about 1066 Dollrs. Specie. I find by examining the Journals of Congress that our Delegates when they drew their Money out of the continental Treasury expended about the Value of that Sum & I beleive it will be readily agreed that living in this City is from 50 to 75 per Cent. higher now than it was three or four years ago.

All I wish for, whilst here is a decent Support to which I shall conform my Draughts entirely. I have recd. the Money here for the two first mentioned Draughts. As we have no News here of any Importance I must take the Liberty to subscribe myself—with Sentiments of the greatest Esteem, your most obedient Servant,

Samuel Osgood

RC (M-Ar: Revolutionary War Letters).

[1] Henry Gardner was the treasurer of Massachusetts.

William Floyd to George Clinton

Sir, Philadelphia, Jan 31st, 1782

I rec'd by Mr. Edgar your Excellency's letter with the affidavits accompanying it which I immediately laid before Congress, who committed them; and a copy of the report of the Committee, I did myself the honor to enclose to your Excellency sometime since; I hope it is come to hand before now.[1] Congress after debating that report for 2 or 3 days, it was recommitted; the next report (not materially different from the first) was several days debated and committed again;[2] about this time Mr. Seth Smith arrived, by whom I had the honor of receiving your Excellency's letter of the 21st instant.

Smith, by way of memorial enclosing a kind of affidavits gave Congress information, which with some other that was at the same time received from another quarter, appeared to alarm some of our members who before that affected to disbelieve that they, the Vermontiers, had formed any connexion with the enemy.[3] But this put it beyond a doubt.

Upon which Congress committed the Report as it then Stood, with the concurrent Resolves of our Legislature on that Subject: the information then rec'd. with all other papers that related to that business to a Comttee. of one member from each State: that Committee has had it under consideration, and I was in hopes that yesterday or this day it would have determined on the principle (for which reason I detained Smith two days) but something happening which has prevented the Committee from doing it,[4] I have thought proper not to detain him any longer.

Congress appear to be sensible of the necessity of coming to some positive determination with respect to the business, but what they will agree to finally I cannot tell.

As nigh as I can judge, the States stand thus: N. H. would have them independent, but would rather they were not, if those on the East Side of the Mountain could be annexed to them, and those on the West Side to N.Y.—Mas., R.I., and Connecticut are full for making them independent, at all events right or wrong, just or unjust; New Jersey, Delaware, and Maryland have been full for their independence; but some of them appear to be staggered since the late information. Pennsylvania has been rather favoring their independence, but now appear to be at a Stand what to do; N.C. and S.C. and Georgia and Virginia, are much in our favor. But what will be determined I am not able to say. Whether Congress will declare them an independent State, or oblige them to return to the State of New York, or whether they will oblige them to go partly to New York and part to New Hampshire. A few days I think will determine it, as something must immediately be done on the subject.

With respect to the distressed circumstances of our State and the settlemt. of our Agent's accounts, a Committee has had them for many weeks and have not reported, tho' I am constantly pressing them; and they are as often promising to report in a day or two.

The concurrent Resolves of our Legislature respecting Colo. Van Schaick I have laid before Congress and they say that they can do nothing in the matter as it now stands, that they understood that he was tired of the service, and was about to resign, that he was not superseded for any misconduct in him.[5]

Enclosed herewith is a copy of Chittenden's letter to the President in answer to the Resolves of the 20th of August last, it is Jesuitical and will bear different construction.[6]

Forgive me, Sir, when I press the sending on some one of my colleagues, for 'tis an intolerable omission, or neglect, when questions of the utmost consequence Should be agitated and determined without our being able to give a vote on them.

The means of support is another matter I shall stand in need of, and would beg that whoever comes on may bring me some, for 'tis not possible that the State can expect that I can bear my own expenses long in this place.

I am, Sir, with the greatest respect and esteem, your most obedt. and humble servt. Wm. Floyd.

Tr (MH–H: Sparks Collection).

[1] See Floyd to Clinton, January 7, 1782, note 1.

[2] Ibid., note 2.

[3] Seth Smith's January 28 "memorial" from the inhabitants of Guilford and Brattleborough in Cumberland County, N.Y., accusing Vermont leaders of "disaffection" from the American cause, is in PCC, item 40, 2:191–94.

[4] Congress' August 20 conditional offer of independence and statehood had been rejected by Vermont officials, and the recommendations of the committee report of January 7 had been deemed too belligerent. The committee had recommended sending a commissioner to Vermont with a revised offer of statehood, which if rejected would be deemed cause for military intervention and the imposition of martial law, but the delegates were reluctant to resort to drastic measures and postponed a decision by referring a toned down report to a grand committee consisting of a delegate from each state. *JCC*, 22:57–60; and PCC, item 40, 2:237–46.

Floyd's hope that the committee might quickly reach agreement on new recommendations was overly optimistic; but the unforeseen "happening" that delayed the committee's work was the arrival in Philadelphia of Vermont agents Ira Allen and Jonas Fay, who on January 30 announced their readiness to resume the negotiations on Vermont statehood commenced the previous summer, for which see Committee of Congress Interview with the Vermont Agents, August 18, 1781; PCC, item 20, 2:207–8; and Floyd to Clinton, February 5, 1782. See also Arthur Middleton's Statement, January 28? 1782.

[5] See *JCC*, 22:34n.1; and New York Delegates to Clinton, September 9, 1781, note 6.

[6] Undoubtedly Thomas Chittenden's November 20 letter, read in Congress on December 12, enclosing a Vermont act "shewing why this State could not comply with the Resolutions of Congress of the 20th of August last." See PCC, item 40, 2:119–22; and *JCC*, 21:1166n.

John Hanson to George Washington

Sir, Philadelphia 1st Feb. 1782.

Congress being disappointed in their Meeting yesterday your Excellency's letter of the 30th ult. of course, was not laid before them until this morning.[1] In answer to that part which relates to Major Porter of the 6th Massachusetts Regiment, I am directed to inform your Excellency, that He never obtained the permission of Congress to go to France or elsewhere.[2]

I have the honor to be, with great respect, Sir, Your Excellency's Obedient & very humble Servt. John Hanson Presidt[3]

RC (DLC: Washington Papers). In a clerical hand and signed by Hanson.

[1] For Washington's January 30 letter concerning Massachusetts' plan for clothing the troops of the Massachusetts Line rather than leaving them dependent upon the Continental clothier general, which was the subject of a committee report adopted by Congress on February 11, see Samuel Osgood to John Lowell, February 2, note 4. There is no indication in Secretary Thomson's journals why Congress failed to convene on either January 30 or 31.

[2] Washington had asked whether Maj. John Porter had been granted leave to go to France in response to an inquiry from Gen. William Heath of January 19, which is in the Washington Papers, DLC. Washington, *Writings* (Fitzpatrick), 23:470.

[3] Hanson also wrote a personal letter the following day to his son-in-law, Philip Thomas, primarily about Thomas's health. Hanson Letters, MdHi.

James Madison to Benjamin Harrison

Sir Philada. Feby. 1st 1781[1782][1]

Your Excellency's favor of the 19th Ulto. notifying to me the desire of the Executive to associate me with the Revd. Mr Andrews in settling the boundary between Virga & this State, came to hand this moment. That no disappointment may retard the business I embrace the immediate return of the post to inform the Executive that although I am duly impressed with this mark of their confidence & am much disposed to render every service to my Country, yet I am constrained to decline the one to which I am now called. Mathematics & astronomy did not make the principal branch of my academic studies, they have made no part of them since I have been engaged in a different sphere & the little knowledge I originally had of them was merely theoretical. I find myself therefore not qualified even for the office of an auxiliary to Mr. Andrews, much less to step into his place in case of accident. The skill of the Commissioners on the part of Pennsylvania requires that Virginia should oppose to them none but men who are masters of the subject.[2] I am sorry that it is not in my power to point out any one here who is entitled to this description & otherwise unexceptionable. I will however make enquiry, & communicate the result by the next post. In the mean time the Executive will be sensible of the expediency of providing if possible some person within the state to accompany Mr. Andrews.

I will endeavour to obtain the decisive information you wish for relative to Bringhurst. I am Sir with great respect & esteem yr. Excellys most obt. & humble Servt. J. Madison Jr.

RC (MeHi: Fogg Collection). Madison, *Papers* (Hutchinson), 4:51–52.

[1] Although dated 1781, this letter is clearly in response to Harrison's dispatch of January 19, 1782, for which see ibid., p. 37.

[2] In February 1781 the Pennsylvania Council had appointed John Lukens and Archibald McClean commissioners to join their Virginia counterparts, the Reverends James Madison and Robert Andrews, in extending the western terminus of the Mason-Dixon Line to the Ohio River. On January 16, 1782, the Virginia Council had designated James Madison, Jr., and James McCorcle to serve as associates of the Virginia commissioners, a post that Madison hereby refused. See *Pa. Council Minutes*, 12:635; and *Journals of the Council of the State of Virginia*, ed. H. R. McIlwaine, 3 vols. (Richmond: Virginia State Library, 1931–52), 3:28. For the background of these assignments and the difficulties encountered in executing them, see also Madison, *Papers* (Hutchinson), 4:38, 184–87.

Madison also returned to this subject in the following February 7 letter to Harrison.

"According to my promise by the last post & to your Excellency's request I have made enquiry for some person fit for the service which my unfitness obliged me to decline, but with as little success as I expected. If skill in the business alone were requisite, it would perhaps be not easy to find one duly qualified & willing to undertake it, but as some particular tie to the State with whose interest he is to be charged is equally indispensable, a proper associate for Mr. Andrews can not be sought for with any hope of success out of the State itself.

"I have had no opportunity yet of seeing or hearing from Bringhurst." Madison, *Papers* (Hutchinson), 4:54–55.

Virginia Delegates to Benjamin Harrison

Sir Philadelphia Feby. 1. 1782.

The post of the present week having failed to arrive in this city on its usual day (Tuesday) and our letters not coming to hand until this morning (Friday) we can answer your excellency's favor of the 17th instant[1] only by acknowledging the receipt of it.

We have the honor sir, to be with great respect, yr. excellency's mo. ob. serv.

Edm. Randolph in behalf of the Virginia delegation

RC (Vi: Continental Congress Papers). Written and signed by Edmund Randolph.

[1] Not found; but possibly Harrison's letter of January 15, for which see Madison, *Papers* (Hutchinson), 4:31n.3.

Samuel Osgood to John Lowell

Dear Sir, Philadelphia Feby. 2d. 1782

Since writing you last;[1] I have look'd over the Journals of Congress for 1777 & 1778, Page by Page & cannot find the Case you refer to, respecting Mr. Hughes;[2] I cannot learn of any Member of Congress that a Bond of the like Nature has ever been given to the injured Party. This seems to be a prevalent Opinion, that where a

Citizen of the united States has been injured as in the instance you mention, if Damages cannot be recovered at common Law which is the first Course to be taken for Want of Property in Case Judgment goes against the Captn. then the united States ought to constitute some Person to institute a Suit upon the Bond & that the injured Party should receive his Damages therefrom; & in Case the Damages do not amount to the Penalty; the Overplus will be at the Disposal of Congress. I am so little acquainted with Law, that I don't know what is the best Mode of proceeding in this Case; But will hazard my Opinion, & wish your Sintiments upon it. Congress should direct Mr. Hillegas to empower some Person to institute a Suit for & in Behalf of him, as Treasurer of the united States, & in Case Judgment is recovered, the Amount should lay in the Hands of the Sheriff untill the injured Party had in some Mode, which may be pointed out, made to appear the reasonable amount of his Damages, & then the Sheriff should be empowered to discharge the same; & the Remainder, should there be any, subject to the Orders of Congress. However it is strongly insisted upon by some, that the united States ought to be benefitted in Case of a Breach of such Bonds. This opinion seems to me to be neither consistent with Reason or the Design of requiring Bonds which undoubtedly has in View the Preservation of the Peace of the united States with other Nations.

We have had this Day[3] laid before Congress a Letter from Genl. Heath to Genl. Washington inclosing a Letter from Captn. Wales & Mr. Davis. The Subject of Genl. Heath's Letter is respecting the Cloathing our State has furnishd the Army, or that Part of it belonging to said State.[4] This matter is undoubtedly of considerable Importance & deserves mature Deliberation. The Financier has procured Cloathing enough for the whole Army & he says it was a Matter well known in Boston, as it was principally there. I find he has some Uneasiness about it. I understand the Delivery of it is prohibited at present. But should it be delivered; what is to be done then? Do the State intend to make a present of it to the Soldiers, or to deduct the Value of it out of their Pay when a Settlement is made, or to charge the whole Amount thereof against the united States to remain for future Adjustment? The first I think will not be adopted; the second upon the present Plan of the Financer cannot, and the third will at least be a doubtful and uncertain Charge. Several Things have been suggested here of late, which give some Degree of Pain to the Financier. It is said the State does not intend to comply with the Requisition of Congress for Money; & that many People are dissatisfied with the Conduct of Mr. Morris especially as to his Mode of supplying the Army with Provisions & Cloathing as it will have a great Tendency to make Philadela. the Center of all the hard Money on the Continent. Several Things which I do not recollect Mr. Morris told me. Were it needful I should undertake to say a great Deal in Favor more especially of the present Mode of supplying the Army with Provisions. But as Genl. Lincoln & Mr. Lovell are both very lately from here, & the former is particularly acquainted with the Army, I doubt not he will be able to give such substantial Reasons in Favor of the present Mode, as to convince any unprejuced Mind, that it is the only System of Economy that can be devised. I can but flatter myself that it will save the united States an immense Sum of Money. I was soon after I arrived at this City, appointed one of the Board of Treasury, who continued in Business nearly three Months, whilst Mr. Morris was making his Arrangements: And it is my serious Opinion that Congress could have scarcely gone thro the past Campaingn, if that Board had managed the Finances: there was neither Decision, nor Industry to be found there. From what few Observations I have made, I think Mr. Morris is very well calculated for his Office, perhaps no Man in the united States is better qualified, & it is my Opinion, that it is of the utmost Consequence that the States should give him every possible Assistance. I need not say much on any of these Subjects as I am sure it is impossible for Genl. Lincoln not to enforce them with a Zeal & Earnestness becoming their Importance.

Surely the Successes of the last Campaign must convince the People, that our Commander in Chief & our Ally, have done every Thing in the Field, that can be done, to drive the Enemy from this Country. We do not yet hear what Effect the Capture of Cornwallis has produced the other Side of the Atlantic: & unless this Event which is undoubtedly very contrary to their raised Expectations, produces a very considerable Change in their Sentiments, we may be well perswaded that the British Court has no pacific Intentions. We may certainly depend upon it, that Nothing but absolute Necessity, & a thoro' Conviction of the Impracticability of reducing us to their Subjection, can ever induce them to think of quitting us. This parting Tho't is Death to them. I scarely need to draw this Consequence from our present Situation: That to be in a Capacity to act with Vigour & decidedly next Spring, & that as early as possible, will be of the last Consequence to the united States.

If we should turn our tho'ts upon a Failure of Success, & what in our present Situation would probably disenable us entirely from establishing Independence, I cannot conceive of any Thing, but the Want of even a reasonable Quantity of Money. Our Finances are certainly in a much better Train than they have ever heretofore been; & Economy is much more attended to; We have an exceeding good Secretary of War; & Congress have empowered him to reduce the Expences of the Army capitally by reducing the Number of General Officers, who have been an unreasonable as well as unnecessary Burthen to the united States; He has also lately made some other saving Regulations. We have also a Quarter Master General whose Economical Disposition & Integrity cannot be called in Question: I wish his Popularity equall'd his Merit.[5] Whatever our Exertions may be the ensueing Campaign, I flatter myself, that the Heads of Departments are so well established, & Business will be conducted with so much Method & Decision, that our Expences will be much less, than they have been in any former Campaign. If it is queried, why, upon this View of Matters, Eight Millions of Dollrs. are required; I apprehend that those who make this Query, have not calculated the absolutely necessary Expenditures of an Army of 35,000 Men; & that this Sum is but about half as much as has been required upon an Average for three years past in real Value. There are Two Questions that naturally occur upon this Sum; one is, whether the People can bear the Collection of it: The other, which is of no small Consequence, is, whether in our present Situation the united States can, with Safety, require a less Sum. If they cannot, as is generally agreed, it is a Duty Congress owe to their Constituents to let them know it.

I cannot learn that you are disposed to give to Congress the Duty of 5 per Ct. We are now & then attacked upon that Head; & I suppose if our State does not comply, she alone will be charged with being the Cause of a Failure—As I believe all the other States (excepting Rhode Island, which has informed Congress pretty plainly that they shall wait to see what their Neighbours do,) have passed Acts for the Purpose.

It did not appear to me at first to be an equitable & Just Tax; But I have since doubted whether my Opinion was well founded. It is a material matter with our State, to be well satisfied whither it would, or not, injure her Commerce. I am doubtful whether we are Justified by Observation or Fact in saying that it would, especially when the Duty is so general that no one State can take the Advantage of any other; If ever an Impost takes Place it is necessary that it should be general. But I apprehend from the Length of Time the State has had this Matter under Consideration they still continue to be opposed to it. I do not pretend to determine but the Objections against it, are important and well founded—& here I must leave the Subject & I believe you will think it high Time so to do. I must beg your Excuse for troubling you so much and can assure you that I would not have sent this Letter in its present Form if Time had permitted me to Copy it.

I am, Dear Sir, with Sentiments of the highest Esteem, Your most obedient Servant, Samuel Osgood

RC (DLC: Osgood Papers).

[1] See Osgood to Lowell, January 23, 1782.

[2] Not identified.

[3] There is no journal entry for February 2.

[4] With his January 30 letter to Congress, General Washington had enclosed an

extract from William Heath's letter to him of January 19 and a copy of a December 21, 1781, letter to Heath from Ebenezer Wales and Caleb Davis, members of the Massachusetts legislative committee for purchasing clothing for Massachusetts troops. Washington had asked for advice on Massachusetts' new plan to supply clothing directly to its Continental troops rather than supply its general requisition to the army. Congress rejected the Massachusetts proposal, however, and on February 11 directed the clothier general to purchase all clothing supplied by Massachusetts to its troops and to credit the state for requisitions provided prior to October 30, 1781. See *JCC*, 22:65, 66n, 71; Washington, *Writings* (Fitzpatrick), 23:469–72; PCC, item 152, 10:435–42; and Washington Papers, DLC.

[5] That is, Timothy Pickering.

Elias Boudinot to Elisha Boudinot

My Dr. Brother, Philadelphia Febry 5th. 1782

An entire dearth of News has prevented my writing since I left you. This still continues, excepting that from the best European Accts. you may depend on it, peace is yet many years distant. I lately sent Mr Smith his Cash from Dr. Duffield via Mr Pintard, who lately informed me that you could not find any late Accts. between Mr. Caldwell & Mrs. Richards. I hope you recd those Papers of hers I sent by Mr. Sears. Those with what you recd from me, are all that were found in his Custody.

I lately recd a Line from you dated last Summer, which is one of those I suppose that you mentioned to me, but which I did not understand. The Frigate that went to France with the News of Cornwallis's Capture, a[rrived] in 22 Days. A reinforcemt from Britain at Charles Town of 5000 Men, so that poor Genl Green will still be in the Suds.

Your Sister & Susan are both well & join in Love. It is whispered that the F. & S. are gone against Jamaica.

Am with Love to Sister & all Friends, My Dr Brother, Yours Afftly.

E B

RC (NjP: Thorne Boudinot Papers). Addressed: "Elisha Boudinot Esqr. at Hanover."

Elias Boudinot to Lewis Pintard

My dear Sir, Philadelphia Febry. 5th. 1782.

Your Favour per Post Came safe to hand. The House you mention is below the Drawbridge & rents for about £150 per ann. But since your Letter, we have recd. Advices from Europe, and from the best Intelligence, I am clear of opinion that Peace is yet many Years off. This has made me reflect with serious deliberation not only on my own Situation but yours also.

I really think you had best conclude to come to this City. I know not the secret, but it is very certain that every Person who can work a Sum in addition or write his Name, is getting an Estate by Trade here. I wish you to think seriously of this Matter, as it may not be amiss to avoid delay.

I called on Miller & he paid me the Quarters rent ending in Decr. last, which deducting Taxes amounted to £28.15.0—this awaits your order. The Duc de Lazun arrived in France after a Passage of 22 Days with the News of Cornwallis's Fate.

As to the Negroes, I will take the Man with Pleasure as I shall be in want of one at my return—and wish you to take the wench—but I could not think of keeping him at home till my return. He might perhaps work for his living in the Neighbourhood till then. All well & send Love &c.

Am Yours Affly, B

[*P.S.*] I am a little afraid that Dr R does not understand any thing abt Innoculation—pray consult Dr Jackson.

RC (PHi: Boudinot Papers)

William Floyd to George Clinton

Dear Sir Philadelphia Feby. 5th. 1782.

Congress have not yet Determined any thing on the Business of the Grants, the Committee have met on it, and had Allen & Fay. Before them.[1] Allen as I imagined, was previously Informed that Congress had got pretty full Information with Respect to their Conduct with the British, therefore it would be his best way to give to the Committee a full Relation of the whole affair which he did in his own way, and from his own account it appeared to me that he acted the Character of a Consummate Villain and the Reasons which he gave for doing it, I must Confess had not the least weight with me, But that their Conduct was Directly against the United States and in favour of our Enemies; and Yet they have in Congress many friends who will Excuse them for their Conduct and wish to make them Independent. I was in hopes that by this post I Should have been able to given you the Result of Congress on the Subject But it appears as far off as when I wrote you last, tho' Every member Seems to See the Necessity of having Something Decisive Done in the matter. I do however hope that it will not be many Day before they will Come to Some Decision on it, of which I Shall take the Earliest opportunity to advise you.

By letters this Day Recd. from Genl. Green he Informs that he is in Daily Expectation of the arrival of 3,000 troops from Ireland to Charlestown which will Render his Situation Disagreable unless he is properly Reinforced and Supported.[2]

From Sir your most obedt. and very humble Servt.

Wm. Floyd

P.S. I have heretofore Said that it was intolerable that our State Should be So long without a Representation.[3]

RC (InU: Signers of the Declaration Collection).

[1] Ira Allen and Jonas Fay had presented their credentials as Vermont "delegates" to Congress in a January 30 letter to President John Hanson, which had been read in Congress on February 1. They subsequently submitted a number of documents supporting Vermont's boundary claim and pretentions to independent statehood to this committee on February 7 and 12. See PCC, item 40, 2:207–8, 211–12, 227–34; and Walton, *Vermont Records*, 2:368–71.

[2] Floyd is referring to Nathanael Greene's December 27, 1781, letter to Benjamin Harrison, which had been forwarded to Congress by the Virginia governor on January 21. According to the endorsement it was read in Congress on February 6. See *JCC*, 22:67n; and PCC, item 71, 2:349–51.

[3] New York had not had two delegates at Congress since the departure the previous October of James Duane and Ezra L'Hommedieu. New York regained a "Representation" on February 14 when John Morin Scott returned. *JCC*, 22:75.

Samuel Livermore to Meshech Weare

Dear Sir, Philada. 5th Feb. 1782

I recd your favour of the 21st ulto this day by the post[1] and am straitned for time as the post goes out at 4 of clock. A committee of 13 are now on the affairs of Vermont. Ira Allen & Mr Fay are heard.[2] Some members of Congress are much alarmed & all are embarrassed at the present situation of Vermont affairs; but they have such repugnant ideas & interests, or rather Attachments, as render it very difficult, if not impossible, to bring them to agree to any one thing. However nothing has been, or shall be wanting on my part. I long for the arrival of Mr. Langdon who I hope is on the road.

I am convinced that a full representation of our state, at this juncture, wd. be of great use to us, as well as to the united states in general. I am heartily glad of the appointment of Mr Gilman & Mr. Walker as I fear my domestick affairs will call me home the first of the summer.[3]

I am with the highest esteem, Your most obedient Servant,

Samuel Livermore

RC (Nh-Ar: Meshech Weare Papers).

[1] Weare's January 21 letter to Livermore is in *N.H. State Papers*, 10:471–73.

[2] See the preceding entry, note 1.

[3] John Taylor Gilman and Timothy Walker had been appointed delegates to Congress by the New Hampshire assembly on January 15. *N.H. State Papers*, 8:929, 10:471.

James Madison to Edmund Pendleton

Dr. Sir Philada. Feby. 7th. 1782

The post has been very irregular for several weeks past & this week the Mail South of Annapolis has failed altogether; by which means I lose the pleasure of your alternate favor.

A vessel from France informs us that the frigate freigted with the event at York had arrived there in 22 days.[1] We are hourly & anxiously expecting the echo of it from Europe & particularly from England. Unless some revolution in the councils of the latter should result from it, our last intelligence with respect to them justifies our suspicion that they will continue to be as bloody as ever.

Congress are still occupied with the thorny subject of Vermont. Some plan for a general liquidation & apportionment of the public debts is also under their consideration, & I fear will be little less perplexing. It is proposed that untill justice & the situation of the States will admit of a valuation of lands, the States should be applied to for power to substitute such other rule of apportioning the expenditures as shall be equitable & practicable, and that Commissioners be appointed by the concurrent act of the U.S. & each State to settle the accts. between them. The scheme is not yet matured, and will meet with many difficulties in its passage thro' Congress.[2] I wish it may not meet with much greater when it goes down to the States. A spirit of accomodation alone can render it unanimously admissible; a spirit which but too little prevails, but wch in few instances is more powerfully recommended by the occasion than the present. If our voluminous & entangled accts. be not put into some certain course of settlemt. before a foreign war is off our hands it is easy to see they must prove an exuberant & formidable source of intestine dissentions.

The Alliance a Continel. frigate carrying the Marquis to France, has sent a fine prize to Boston with 5 or 600 Hhds of Sugar on board.

I have had so short notice of the arrival & departure of the post, that I not only write in haste but with brevity.

Adieu J. Madison Jr.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:55–56.

[1] That is, the vessel carrying Rochambeau's dispatches concerning the victory at Yorktown had reached Brest on November 19, 1781, for which see the *Pennsylvania Journal*, February 13, 1782.

[2] See Oliver Wolcott to Jonathan Trumbull, January 8, 1782, note 3.

Thomas Smith to Phoebe St. Clair

Madam[1] Philada. February 7th. 1782.

On my return to Philadelphia[2] I found three Letters which the General had written to me on his March to the Southward, in that of the latest date he enclosed a Draught on the Pay Master in my favour for eighty Dollars, which he desired that I would send to you when receivd. I went to the Pay-Master immediately, and I have reason to think that I shall receive the Cash in two or three Days, and you may be assured that I shall send it to you without a moments delay.[3] The General in all his Letters expresses the greatest anxiety to hear from his family—his earnest wish to return to them as soon as possible and his deep distress at not having heard from them since his departure. As I mean to write to him in a few Days, I wish Miss. St Clair would write to her fond Father & I will forward the Letter. The General makes an apology for giving me what he calls the trouble he does upon this occasion & others of a similar nature that he intends to commit to my care; but he does me the justice to check himself immediately and to assure himself that it will give me pleasure to do every thing in my Power for his family in his absence and believe me Madam, that a hint of your wishes, will be a Command to me, which I will readily obey, to contribute to your ease and interest 'till the return of my much esteemed friend which I wish may be soon. I am with most sincere wishes for the happiness of his family,

Your very humble Servant, Thomas Smith

RC (OHi: St. Clair Papers).

[1] That is, Phoebe Bayard St. Clair, the wife of Smith's old friend Arthur St. Clair. *DAB* ("Arthur St. Clair"). For Smith's relations with General St. Clair (both were Scots immigrants to America during the early 1760s), see Burton A. Konkle, *The Life and Times of Thomas Smith, 1745–1809* (Philadelphia: Campion & Co., 1904), pp. 40, 45, 62, 74, 78, 90–93, 108–9.

[2] Smith had just resumed his seat in Congress on Monday, February 4, after being absent since his marriage to Letitia Van Deren on November 29, 1781. See ibid., pp. 147–48; and PCC, item 186, fol. 11. See also Thomas Smith's Account, Emmet Collection, No. 911, NN.

[3] A brief letter from Smith to Mrs. St. Clair dated February 22 and enclosing "ten half Johanness" drawn on the paymaster by her husband is also in the St. Clair Papers, OHi.

Virginia Delegates to Benjamin Harrison

Philadelphia, Feb. 8, 1782.

It was found that great quantities of British goods, were brought by circuitous commerce into these States, that this trafic tending to strengthen the Enemy both policy and interest required should be suppressed during the War, that the money lent us by the French nation to support our credit and enable us more vigorously to prosecute the War ag't the Common Enemy was chiefly employed in this injurious Commerce, that France seeing her aid of money applied to such nefarious purposes and no effectual measures taken by the United States to prevent it, complained of this trafic so hurtfull to both nations, . . . we wish to retain the French nation as friends, but not to admit them into our Councils. . . . The establishing of a National Bank under our particular circumstances appeared to Congress a desirable object, and if properly supported by the authority of the several States, promises to be generally useful.

Extract reprinted from *Stan V. Henkels Catalog*, no. 1170 (June 2, 1916), p. 34, which states that the original four page RC was signed by Joseph Jones, James Madison, and Edmund Randolph.

Daniel Carroll to Thomas Sim Lee

Dear Sr. Pha. 10 February 82.

Mr. Mullahan will deliver 3 prs. of Shoes for Mrs. Digges, and two pair of Slippers for Mrs Rogers. I take the liberty of requesting your care of them. He has given me a memorandum of some shoes for your Lady, which shall be forwarded by the first opportunity when they are done.

I wrote to you abt 3 weeks past by Mr Richardson respecting my Situation abt money matters.[1] You will now receive a public Letter on that Subject.[2] I expect Mr Wright here in a few days[3] & wish most earnestly to have it in my power to return to Maryland—& am confident you will have me assisted all you can—excuse me for troubling you on this subject. Present me to yr Lady.

Yrs. Dr. Sr., with great esteem. Danl Carroll

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] Not found.

[2] Undoubtedly Robert Morris' February 9 circular letter to the states concerning the reestablishment of "domestic Credit," for which see Morris, *Papers* (Ferguson), 4:191–96.

[3] That is, Turbutt Wright, who was elected to Congress the preceding November, but did not take his seat until April 29, 1782. *JCC*, 21:1152, 22:217.

Samuel Livermore to Meshech Weare

Dear Sir, Philada. Feb. 11th. 1782

The post has just brought me your favr. of the 29th ulto.[1] We are now earnestly engaged in the affair of Vermont. Allen, Fay & Curtis are here, a large comtee. of Congress sat almost every day last week.[2] On Saturday we sat from 11 to 3 of Clock and finally after much debate concluded to recommend to Congress to make one more offer to Vermont equal to that in Augt. last which you have seen. And to send them an agent to explain and inforce it: with this alternative that unless they comply; it shall be recommended to New Hampre. & N York to divide them at the heighth of land & to pass acts of indemnity & confirm the grants made by Vermont in cases of no prior grant, also to confirm the grants of NH. & NY. under certain equtable conditions, so as to make all partys easy, as far as possible. I confess I like this, in case they will not comply with the Resolutions of Augt last. But whether congress will agree to this or any thing else I know not. It will be opposed by one party that would make them independent on no Condition at all; and by another that would indulge them in every thing they can ask to the ruin of NH & NY both.

Allen has given us long narratives of his negotiations—but palliates—& some are inclined to believe him. We have no proof his going into N.Y. as your letter says.[3]

Enquiry shall be made about the fortune of your tickets and sent as soon as possible. My feet are infirm so that I am obliged to ride even to Congress. You will have a rousing letter from the financier. I hope it will have its weight; but I told him this day[4] that Vermont dispute must be settled before we pay a shilling. And also that our quota must be settled with more colour of justice. I hope Mr Langdon is on his way hither.

I have the honour to be dear sir your most obedt humble servant.

Saml Livermore

[*P.S.*] I wish to know when the Genl Court is to meet.

RC (MH: Weare Papers).

[1] Weare's January 29 letter to Livermore is in *N.H. State Papers*, 10:479.

[2] For the appearance of Ira Allen and Jonas Fay in Philadelphia the last week of January, see William Floyd to George Clinton, February 5, note 1. Abel Curtis had probably just joined them the preceding day or two.

[3] Weare had reported "Mr. [Ira] Allen was twice at Canada and once at York last summer." *N.H. State Papers*, 10:479.

[4] Livermore's meeting this day with "the financier," during which he was shown a copy of Robert Morris' February circular letter to the states, was recorded in the following entry from the superintendent's diary.

"The Honble. Mr Livermore came at my desire and I requested him to Name to me such Gentlemen in New Hampshire as he thought most fit to be appointed receivers of the Continental Taxes in that State, mentioning that a receiver of the Continental Taxes ought to be a Man of Fortune, honest, punctual and very exact, that he should be a Man of Sense, well esteemed and of Influence in the state. He recommended first Geo. Atkinson Esqr. of Portsmouth, next Joshua Wentworth Esqr., also Genl Wm Whipple. I had a good deal of Conversation with him about Taxes and shewed him the Circular [to the] States." See Morris, *Papers* (Ferguson), 4:191–97, 203.

Arthur Middleton's Draft Circular Letter

[February 11–March 12, 1782][1]

Congress have long consented to stand in the gap between the People, their Soldiery & publick Creditors; to many they have been the Sport of Obloquy, to some the object of reproach; they have borne these things with patience, conscious of their rectitude of Intention, & that their worst measures have been the result of Necessity, not of choice. They should continue to bear the unmerited Burthen with resignation, & be satisfied still longer to sacrifice their reputation as a Body, & their Characters as Individuals, for the publick good, could the wishd for End thereby be obtained; but should our Applications be slighted, & our calls for support be neglected, we have reason to apprehend the most dreadfull Consequences, nothing short of absolute ruin.

We wish not to trouble you with Complaints, we search not for the Causes of your inattention to our sollicitations, but we lament the balefull Effects which have, & which must inevitably ensue from a Continuance of it.

We earnestly request, nay we conjure you by everything you hold dear & sacred, to listen to our Application, & to decide speedily upon points whereon depend not only your Welfare, but your very Existence as a people.

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] Middleton apparently drafted this document in connection with his work on the committee appointed on February 11 to consider Robert Morris' proposed circular letter to the states "respecting the delinquency of the states in granting the duty of five percent, and raising their quotas of men and money." For Morris' letter and the report of the committee, which was submitted to Congress on March 12, see Morris, *Papers* (Ferguson), 4:205–14; and *JCC*, 22:72, 132–36.

Middleton's work on this committee is also undoubtedly reflected in the following paragraphs which he penned on another sheet of paper located in the Middleton Papers. In this manuscript, a considerable space appears between the first and second and the third and fourth paragraphs.

"In the outset of a Dispute unsought for, America, little acquainted with the Exigencies of War, was blessed with the Vigor & boldness of youth accompanied by it's Inexperience. Necessity forced her to resistance, unprepared for the awful Scene.

"Generously supported by you in proportion to your abilities, we despise their force, their Vengeance & their Threats, & we despair not of putting a speedy end to the War; a period we cannot help wishing for, when we reflect upon the numberless Calamities of those illfated Individuals, who by the fortune of war are thrown into their merciless power.

"In addition to their primary Object of Invading us, we have every reason to apprehend that their threatned Vengeance hitherto unsatiated, & edged by Disappointment will again be let loose upon you, it behooves us to warn you of it, & we exhort you to enable us to meet & to repel it.

"The many Efforts *vainly* used by Congress to *invoke* the Attention of the Legislatures to this *interesting* Object (and to prevent superabundant Emissions by a *Timely* use of Taxation) which if properly pursued it is by no means improbable that it might have carried us thro' the war, and precluded the necessity of contracting a large foreign Debt. But we wish not to point out former Miscarriages, & to repine is needless."

Ezekiel Cornell to George Washington

[February 12, 1782]

Resolved, that the promotions here after made of Colo or Lt Colo. Commadant to the rank of Brigadier or of Brigadiers to the rank of Major Generals shall not entitle the officer so promoted to any additional half pay or allowance of land on account of such promotion. And that such of the present brigadiers as shall be promoted to the rank of Major Generals shall only be entitled to the half pay of brigadiers and to the allowance of land allowed to brigadiers by the resolution of the 12th of August 1780. And that such of the present Colo or Lt. Colo commadants as shall be promoted to the rank of brigadiers and from thence to that of Major Generals shall only be entitled to the allowance of land and half pay assigned to the Colo. and Lt. Colos commadant any resolution heretofore passed to the contrary not withstanding.

Resolved, that all brigadier Generals who held that rank previous to the first day of May 1777 be and they are hereby promoted to the rank of Major Generals.

Resolved, that all Colos who held that rank previous to the first day of May 1777 be and they are hereby promoted to the rank of Brigadier generals.

The foregoing proposed Resolutions are submitted for your Excellencys perusal and your opinion thereon[1] will be acknowledged as a favour by him who has the Honor to be your Excellencys most obedient, Huml Servant EComell

ENCLOSURE

Brigadirs.	James Clinton	August 9th. 1776
	Wm Moultrie	Sepr. 16th. 1776
	Lachlan McIntosh	Sepr. 16. 1776
	Henry Knox	Decr. 27. 1776

John Glover	February 21.1777
John Patterson	do do
Anthony Wayne	do do
George Weedon	do do
Peter Mughlenberg	do do
Edward Hand	April 1st. 1777
Charles Scott	April 2d. 1777.
Coll. John Lamb	1st Jany 1777. 2nd Regt. Artillery
Coll. John Crane	Do Do. 3rd Do.
Coll. Stephen Moyland	8th Jany. Do. 4th Legionary Corps
Coll. Joseph Vose	21st Feby. 1777.
Coll. John Greaton	1st July 1775.
Coll. Will Shephard	May 1776
Coll. Rufus Putnam	5th Augt. Do.
Coll. Michael Jackson	1st Jany. 1777.
Coll. Henry Jackson	12th Do. Do.
Coll. John Durkee	10th Augt. 1776.
Coll. Heman Swift	1st Jany. 1777.
Coll. Samuel B. Webb	Do. Do.
Coll. Goose Van Schaick	28th June 1775.
Coll. Philip Cortlandt	21st Novr. 1776.
Coll. Matthias Ogden	1st Jany. 1777.
Coll. Elias Dayton	8th Feby 1776.
Coll. Daniel Brodhead	29th Septr. Do.
Coll. Richard Humpton	1st October Do.
Coll. David Hall	4th January 1777.
Colo Otho Williams	1 do 1777
Colo John Gunby	11 April 1777

I have not been able to procure the dates of the Colos in Virginia or North Carolina. There is none in Soth Carolina previous to the first of May 1777 and only Colo Elbert in Georgia.

RC (DLC: Washington Papers). Endorsed: "Philada. 12th Feby. 1782. from General Cornell. Proposed promotion of General Officers. Ansd. 13th."

[1] For Washington's opposition to Cornell's proposals and discussion of "some of the inconveniencies which I fear would result from so extensive a promotion," see Washington, *Writings* (Fitzpatrick), 23:497–99. For the revised motion Cornell submitted to Congress on February 28, proposing the promotions of only Gens. James Clinton, Henry Knox, Lachlan McIntosh, and William Moultrie from the list of brigadiers holding rank prior to May 1, 1777, and Otho Holland Williams from the list of colonels, see *JCC*, 22:104–5; and PCC, item 36, 1:267–68. Only the proposed promotion of Knox survived the numerous objections that were raised to such promotions at this time of anticipated retrenchment, which became the subject of heated debate and several roll call votes on March 22. *JCC*, 22:143–48. For the more complex case of Williams' promotion, which was finally approved on May 9, see John Hanson to Philip Thomas, January 29, 1782, note 3.

Samuel Livermore to John Langdon

Dear Sir Philada 12 Feb. 1782

I have no letter from you by the post, so I conclude Woodbury has it in his pocket. By some discourse with Mr Morris, I have reason to think that your friend Capt Paul Jones is writing some complaint agt you. However I immediately entred warmly into the merits & told him that Jones in my opinion knows nothing abt. building; but that you was perfectly acquainted with every step proper to be taken. In short I did you that justice which (without flattery) I think you deserve. Mr Morris seemed satisfied with what I said; and said he should proceed to finish the ship &ca &ca in a manner which will doubtless be to your satisfaction.[1] I beg the above may remain a secret with yourself.

I have written pretty largely to the president so must conclude in haste. Your most obedt Servt. Saml Livermore

RC (Capt. J. G. M. Stone, Annapolis, Md., 1973).

[1] John Langdon was supervising the construction in Portsmouth, N.H., of the 74-gun ship *America*, which had been assigned to the command of Capt. John Paul Jones. For the efforts of the agent of marine Robert Morris to resolve the dispute between Langdon and Jones, see Morris, *Papers* (Ferguson), 4:254–57.

James Madison to James Madison, Sr.

Hond. Sir Feby [12?] 1782

A conveyance by a waggon returning to your neighbourhood this moment presenting itself I make use of it to forward you a collection of papers which have accumulated since the last supply. If there are any deficiencies be so good as to point them out to me. By the same conveyance I send to Mr. W. Maury 4 English grammars the price of which is 3 dollars which he is to remit thro' you.[1]

The disappointment in forwarding the money by Mr. Brownlow has been sorely felt by me, and the more so as the Legislature has made no provision for the subsistance of the Delegates that can be relyed on. I hope some opportunity will soon put it in your power to renew the attempt to transmit it, & that the delay will have made considerable addition to it. Besides the necessity of this supply for the common occasions I have frequent opportunities here of purchasing many scarce & necessary books at ¼ of the price which if to be had at all they will hereafter cost me. If an immediate conveyance does not present itself for the cash, I wd. recommend that a bill of exchance on some merchant here be got of Mr. Hunter, Mr. Maury or other respectable Merchant, & forwarded by the post. This is a safer method than the first, and I make no doubt is very practicable. I wish at all events the trial to be made & that speedily.

I recollect nothing new which is not contained in some of the late papers. Present my affectionate regards to all the family. I have not time to add more, than that I am your dutiful Son,

J. Madison Jr.

RC (DLC: Madison Papers). Endorsed by Madison, Sr.: "This Letter was wrote about the 12th of Feby. 1782." Madison, *Papers* (Hutchinson), 4:64.

[1] For Madison's efforts to collect a file of Philadelphia newspapers and to supply schoolmaster Walker Maury with English grammars, see ibid., note 1.

Samuel Osgood to John Lowell

Dear Sir. Philadelphia Feby. 12th. 1782

I find by reading your News Papers that our Silence with Regard to the old Currency seems to be construed as a great Inattention in us to the Interest of the State.

We have been no less anxious on this Account, than those can have been who are most deeply interested in it. And when they are satisfied that we have not only viewed the Subject as they do; but also have used all the Endeavors that we could to get Congress to adopt some Plan which would give them Relief we confidently beleive that we shall at least be acquitted of any criminal Negligence.

By examining the Journals of Congress it will appear that the Letter from the Committee of our Legislature upon that Subject was immediately laid before Congress & committed.[1] The Committee reported; that Report was referred to the Financier, from whom we have never been able to get a Report in Point; tho' he apprehends that we have. His Report which is for a general & final Settlement of the Accounts of the several States with the united States might possibly answer the Purpose. This has been debated & committed several Times & is now with a Committee of thirteen. It is attended with a great many Difficulties & perhaps the pressing Call for a general Liquidation of Accounts will only induce us finally to agree to any Plan to be recommended to the States for their Approbation: There is not a State represented in Congress who are not fully sensible that this Adjustment concerns them very nearly. They are therefore very attentive and critical about it. The Financier perhaps from the best of Reasons, is determined upon a final Adjustment to about the Time the Confederation was fully ratified & confirmed. That the Quotas of the respective States shall be ascertained from year to year so that the Adjustment once made shall never be called into view again. Whilst the Requisitions of Congress have all gone out upon the Plan that in some future Time an Adjustment of

Quotas should be made, it affords every State an Opportunity of saying & probably of beleiving that their Quota is too great And will have a great Tendency to prevent the Necessary Exertions to comply with the Requisitions which otherwise would be made if the Quotas were not to be varied from. I am of Opinion that this will place the Financier upon better Ground than he now stands—And if he is not, in other Respects besides this, the bad Consequences will be numerous & very dangerous.

Is it possible upon the present Mode of supplying the Army which I am perswaded will not be so expensive by nearly one half, as heretofore, that the Financier should remain in his Office long, if there is not an absolute Certainty in the Funds on which he places his whole Dependence; otherwise his own Credit as well as the Impossibility of his answering the Expectations of the public, or of Individuals will oblige him to leave his Office. An Event which I hope will not take Place at least till the War is closed. This Office well managed & supported is one of the cardinal Points on which the Independence of America depends.

For Want of Time I must omit Observing any Thing farther till the next Post When I will do myself the Pleasure to write you more fully as to the old Currency & the Request of Congress that they may be empowered to Levy a Duty of 5 per Ct.[2] Massachusetts not having complyed with this, prevents in a Measure the Relief in the Case of old Money. At present I am very doubtful whether the Constitution will admit the Legislature to comply fully with that Recommendation.

I am Dear Sir, very respectfully, your most humble Servant,

Samuel Osgood

RC (DLC: Osgood Papers).

[1] See Osgood to Lowell, July 10, 1781, note.

[2] See Osgood to Lowell, February 20.

John Hanson to Philip Thomas

Dear Doctr. Philadelphia Feby 14th 1782

The Spanish fleet have at length left the Havanna. By advices from Cadiz of the 17th Octo, three ships of the line had arrived there, they left the fleet by order of the Commander about 100 Leagues to the Eastward of Bermudas. The Treasure on Board this fleet is Computed to between 22 & 23 Millions of Dollars—a Considerable Expedition was preparing at Brest, and at Cadiz were also preparations made, to embark 4000 Troops, destined probably for the Conquest of Jamaica. The Seige of Fort St Philips would Shortly Commence, the french Troops sent to Minorca were probably Arrived, and when Joined to those of the Spaniards, the army would Amount to 20,000 men, yet it was thought the Seige would be long and very important. The disturbances in Spanish America were Excited by the imposition of heavy Duties, the manner of Collecting them, and the great number of officers appointed for that purpose. The defeat and Capture of the Chief Insurgents in Peru, had Scarcely quieted the Apprehensions of the Court, when advices were received, that the Inhabitants of Santafe, had taken Arms, and maltreated many of the Kings Officers, but they have been in some measure Appeased, by the promisses of their Bishop, to procure the abolition of offices and Duties, which have been Complyed with. The Court of Spain have nominated a person to Treat with Mr. Jay, which may be looked upon as a tacit Acknowledgement of that Gentlemans public Character—this being done previous to their being Acquand. with the Capture of Cornwallis And his Army, and our other Important Successes, the last Campaign, Shews a friendly disposition, and when the glorious advantages we have gained over the Enemy, Comes to their Knowledge, it will in all probability urge them to a speedy decission in our favour. The republican party Continues to gain ground in Holland—they are makeing great Efforts to have a formidable fleet the next Campaign. Their Stadtholder will probably be obliged to Consent to the Augmentation of the Marine, without insisting on increasing the Land force which he has hitherto done—it may still be feared, the disunion in that republic will prevent its openly Avowing the Independance of America, untill it is Acknowledged by Spain. A general negotiation for peace is at presant but little talked of in Europe. Britain has refused the Mediation of the Courts of Prussia and Vienna in favour of Holland. This may not prove unfavourable to us. The horrid, Cruel, and unjust treatment the Dutch have met with from the English, Compaired with the generous behavour of the French in restoreing to them, the Islands of Statia and St Martins which the English had so meanly wrested from them, must if they have the least Idea of national honor, if they have a Single Spark of resentment, or possess the least degree of gratitude, make them hold the one in abhorence and incline them strongly in favour of the other; and I have great hopes, if we act with Vigor the next Campaign to improve the Advantages we have gained over the Enemy in the last, our Independance will in the Course of a few months be Acknowledged by both Spain & Holland.

A Vessel is just Arrived here from the West Indias by her we have the agreeable intelligence of the French haveing landed on the 12th ult. a Body of Troops on the Island of St Kitts—that the Inhabitants immediately Capitulated, but that the Troops of the Enemy had retired to the Castle, on Brimstone hill, about 1500 men—that Count de Grasse with 30 or 32 Sail of the line was in possession of the Harbour—that he had taken there upwards of 100 Sail of Vessels—that the British fleet Consisting of only 22 Sail of the line, was too weak to attempt any thing for the relief of the Castle, which it was Expected woud not be able to hold out long—this Account is not only given by the Capt. of the above Vessel but is Confirmed by letters, particularly by one from a french officer at Martinique to a french Gentleman of distinction in this place.[1]

I received yours by Capt Richardson and am this day favoured with one of the 3d Instant by the post—nothing Could have given me greater pleasure than the information it Contains respectg your health. I have got Doctrs. Morgan and Jones's Opinions on your Case (no abscess they think)—the old walnut Tree has not delivered me His. I shall get it time Enough to Send with the others by Capt Richardson who I expect will be in Town in a day or two on his return from the Jerseys. Neds Tools are in his Chest which may be broke open if you think it best to set him to work—but I should be inclined to Sell him if a good price Can be had (£200). Perhaps Lawrance Oneal would be glad to purchase him as it would be a means of Contenting his wench Neds wife. I am under some uneasiness lest he Should have escaped from H Hanson, if he has not, it would Seem that he is not inclinable to make a second Attempt to get off. Your mother has not got perfectly recovered. Her Costiveness still Continues and She is often Sick at her Stomack. I cant prevail on her to have a Doctr. When the wether is Such that She Can Exercise frequently, I hope She will recover. Little Kit is very well. She Joins with me in love to you and her little sister and Brother in Compliments to all friends, yrs. J.H.

RC (MdHi: Hanson Letters).

[1] Hanson also reported the contents of this letter in another to Gov. Thomas Sim Lee. The latter, which is dated only "Feby 1782," is in the Lee, Horsey, and Carroll collection of papers deposited at MdHi.

Virginia Delegates to Benjamin Harrison

Sr Phila. 15th. Febry 1782.

We have your favor of the 2d. with the inclosures. those for Monsr. Mazzei shall be delivered to the minister of foreign affairs with request to forward them in the manner desired.[1]

Although general Greenes information of the number of Men reported to reinforce general Lessly at Charles Town may be exagerated, yet it cannot be doubted the Enemy intend to prosecute the ensuing Campaign with all the vigor in their Power, and should considerable reinforcemts. get to Charles Town before general Greene is properly supported, we fear he will be obliged to abandon his present position and the blame fall chiefly on Virginia, whose line that should be first on the list of the southern Army for Numbers, is, we are informed, greatly short of that of Maryland. Duty as a Member of the foederal union and interest as more intimately involved in the fate of the southern States, cannot fail to operate as powerfull incentives to Virginia to use every means in her power to recruit her continental line and afford every other reasonable support to the southern Army. As we are unacquainted with the supplies of Beef furnished by the State upon former requisitions we are at a loss to know how far it wod. be necessary to ascertain the terms of the supply now called for to enable the State to charge it in acct. with the united States in part of the quota of the present year. If therefore any thing further is necessary to be done You will please to communicate your desires and they shall be attended to.[2]

The Chevr. Luzerne has received intelligence from the Wt. Indies that the Count de Grasse with the fleet under his command and a large body of Troops commanded by the Governor of Martinique had invested the Island of St. Kitts, landed the Troops on the 7th. of last month and in ten days subdued the whole Island except the Fortress on brimstone Hill, to which place part of the British troops and some Militia had retired—that this place was closely invested and it was thought could not long withstand the force of the assailants—about one hundred Merchant Ships and Vessells with a large quantity of naval and military stores had fallen into the Counts hands—that Adml. Hood with nineteen Sail of the line lay at Barbadoes but hearing of the Counts movements had quited that place and gone to Antigua.

Mr. Randolph intends shortly to Virginia[.] by him we will endeavour to send the journals you wrote for and also the Cypher so long promised.[3] We are with great respect

Sr. yr. obed. hum. servs.

J. Madison Jr.
Edmd. Randolph
Jos. Jones

Reprinted from Madison, *Papers* (Hutchinson), 4:65–66.

[1] See ibid., pp. 53–54, especially note 7.

[2] Nathanael Greene's December 27 appeal to Virginia for men and supplies had been forwarded to Congress in a January 21 letter from Governor Harrison which was read on February 6 and referred to committee. The latter recommended on the 13th that Robert Morris expedite shipments to Greene and support whatever troops the commander in chief might order south and that the Virginia government "take decisive and effective measures to furnish the men and beef required by General Greene." See PCC, item 71, 2:345–51; *JCC*, 22:67n, 73–74; and Morris, *Papers* (Ferguson), 4:168–69n.7. See also Virginia Delegates to Harrison, March 19, 1782, note 1.

[3] For Edmund Randolph's March 18 departure from Philadelphia, see James Madison to Thomas Jefferson, March 18, 1782, note 6. Randolph carried with him the cipher that the Virginia delegates had promised the preceding October, for which see Virginia Delegates to Thomas Nelson, October 23, 1781, note 2, and which the delegates finally employed in their letter to Harrison of April 23, 1782.

Samuel Wharton to John Dickinson

Dear Sir Sunday Afternoon, February 17th 1782.

The Subject for the Deliberation of Congress to Morrow[1] is of so much Importance to all the States in Union, That I determined to be there, notwithstanding my Lameness; But I am exceedingly mortified with the inclosed Note from the Chief Justice, and uneasy, to the last Degree, at the Resolution of your Brother.[2] If you think my Presence in Congress To Morrow will be of the least Use, I will attend, although our State will not have a Vote.

I am with the greatest Esteem, Dear Sir, Your Excellency's most Obedient & faithful Frd. and Servant, Saml. Wharton

RC (PHi: Logan-Dickinson Collection).

[1] Wharton probably had in mind the Vermont issue, although the only subject recorded in the journals for February 18 was the negotiation of a prisoner-of-war cartel. According to Secretary Thomson's endorsements on the documents involved, Congress received that day a committee report on Vermont ("Delivered Feby. 18. 1782 [*but*] Entered on the Journal by yeas & nays March 1, 1782"), as well as a letter from Vermont commissioners Ira Allen, Abel Curtis, and Jonas Fay. See PCC, item 40, 2:251–52, 260; and *JCC*, 22:76–77, 108–13.

[2] The enclosed note from Thomas McKean reads: "The Chief Justice presents his compliments to Mr. Wharton, and is sorry that he is under the necessity of setting out in the morning for Newcastle, from whence he purposes to return on Friday or Saturday next; but General Dickinson is in Town and will very probably accompany Mr. Wharton to Congress tomorrow.

"The C.J. is proud to hear that Mr. Wharton is so far recovered." Logan-Dickinson Collection, PHi.

Dickinson's brother, Gen. Philemon Dickinson, did not take his seat in Congress until Friday, February 22; Wharton first attended on the 25th. *JCC*, 22:87, 96.

Wharton and Philemon Dickinson, as well as Thomas McKean and Caesar Rodney, had been elected delegates to Congress by the Delaware Assembly on February 2, 1782. The selection of this delegation was to prove a watershed in Delaware politics, when opposition arose to the nonresident status of all the delegates except Rodney. Long subordinate to its more powerful neighbor Pennsylvania, Delaware had been represented in Congress since 1774 by McKean, who lived in Philadelphia after 1774 and also served as chief justice of the supreme court of Pennsylvania. Although McKean's plural officeholding had been controversial in that state (see McKean to Francis Bailey, July 23, 1781), his nonresident status in Delaware had not alarmed Delaware voters.

With the election of Wharton and Dickinson to the delegation in 1782, however, the stage was set for a political upheaval. Wharton was a Philadelphia merchant who had only recently returned to America after a decade abroad promoting the land claims of the Indiana and Vandalia Companies, an interest arising from his early involvement in the western Indian trade. Philemon Dickinson had lived in New Jersey since his marriage in 1767 to Mary Cadwalader and was commander of the New Jersey militia, in which capacity he acknowledged a primary allegiance to New Jersey, which he reaffirmed in a letter to Gov. William Livingston of May 28, 1782. Philemon's brother John was a Pennsylvanian by residence but had been president of Delaware since November 1781.

The question of nonresident representation later emerged as a public issue when President Dickinson (formerly a delegate to Congress for both Pennsylvania, 1774–77, and Delaware, 1779) was also elected president of Pennsylvania on November 7, 1782. After coming under bitter public attack in the newspapers, Dickinson resigned the Delaware post in January 1783. And when congressional delegates were elected the following month, the Delaware Assembly elected a slate of delegates which for the first time consisted solely of Delaware residents—Gunning Bedford, Jr., Eleazer McComb, Caesar Rodney, and James Tilton. See John A. Munroe, "Nonresident Representation in the Continental Congress: The Delaware Delegation of 1782," *WMQ*, 3d ser. 9 (April 1952): 166–90, and Gail S. Rowe, *Thomas McKean: The Shaping of an American Republicanism* (Boulder, Colo.: Colorado Associated University Press, 1978), pp. 164–77.

Elias Boudinot to Lewis Pintard

My Dr. Sir, Philadelphia Febry 18. 1782.

I recd your Favour per Post, and am obliged to you for your Care of my little affairs. I know of no way of estimating the Hay in the Barn, but getting my old Friend Judge Staples & Mr Rickey to adjudge what they think it will hold out.

I know not what to say about your proposal relating to Johnny. I fear it is too late in the Day for him to think of dragging out five long Years at the Study of the Law, wch must be done before he can get a Licence—unless he can get a Diploma & then it will deduct but one Year from that Number. It can do him no harm to spend his time this winter in reading the 3d Vol of Blackstone, which may be of service to him in any Profession whatever—but I doubt not the Spring will bring both of you to this City. I have no hope of Peace under two Years at least, and then it is uncertain.

We are advised this day, that the Spanish Fleet of 41 Sail of the Line & 16 Frigates with 4000 Troops sailed on the 3d Janry. from Cadiz. They were to cruize in Lattitude of Madeira till they were joined by Count de Guichen who sailed on the 11th Decr from Brest with 19 Sail of the Line & 15000 Men. The destination of this Armament is a secret, but generally supposed to be the west Indies & America. It is reported that the Count has had a Battle with 13 English Ships under Admiral Kempenfelt previous to his junction with the Spanish—the Issue not known. 6000 Hanoverians coming out early in the Spring.

I wrote you concerning the taking of St. Kitts by Capt Shaler.[1] Since which, we are advised that Count de Grass has engaged Sir Saml. Hood off that Island, but the Issue unknown—which dont look well. The reduction of Minorca not effected—the last accts are flattering.

Nothing can be done with the Cash. I fear a risque at Sea. I have lately had several Lotts in the great Swamp offered me by Genl. Wilkison who bought them at Lord Sterlings Vendue at a reasonable rate. I think I shall take them—will you join?

We are all well and wish to be remembered. Love to Mrs. P. & Johnny. Patty is quite hearty. Am Dr Sir, Yours most Afftly,

E B

RC (PHi: Boudinot Papers).

[1] Not found.

South Carolina Delegates to John Rutledge

Sir, Philadelphia, 18 July [*i.e.* February] 1782[1]

We wrote you on the 27 ulto. by Mr. Hall from which we have not received any of your Excellency's favors nor had any direct accounts from Carolina.

The Governor of Virginia about 10 days ago transmitted to Congress the copy of a letter of the 27th Dec. from Genl. Green to him,[2] informing of his having received accounts from Charleston of a large reinforcement they expected there from and New York and calling on every one for assistance which he says they have it not in their power to furnish—this intelligence was referred to a Committee of Congress who had several conferences with the Commander-in-Chief and the result has been to order in all the levies from this State southwardly as fast as possible together with the Duke De Louzon's Legion of French troops—this last to halt on the War Oak and wait Genl. Green's further directions, the superintendent of Finance has engaged to furnish a supply of corn and salt. We flatter ourselves that the General will still be able to keep possession of the Country as the enforcement from New York did not exceed 700 men and by the last advices from England no troops had sailed from there tho it was said a reinforcement of five regiments would go out in the spring—this being previous to the news of Cornwallis capture reaching there, we hope *that*, together with subsequent events in the West Indies will prevent further succour going to Carolina. We hoped much to have the French troops or a part of them to join Genl. Green, but could not succeed the Genl. says, Count Rochambeau's orders are not to divide his infantry, and the sending, on the whole, would break in upon plans already fitted for the ensuing campaign which would be entirely deranged thereby—but this at the particular desire of the Genl. should not be made publick. We have no official advices from Europe later than the Eighteenth October and these contain nothing material, no reply had been then given by the mediateing power to the answers of the courts of France and Spain accepting their offer of mediation nor had they received accts. of any answers being given by the Council of London to said Offer at that time. It was supposed they waited to know the event of the campaign—the siege of Minorca still continued but that of Gibraltar was considerably [. . . . .]

The fleets had returned to their respective ports, and a large amount of 10 or 12 Sail of the Line and from 8 to 10000 troops sailed from Brest the beginning of December to join Count de Grass in the West Indies, they were not arrived when the last advices were dated viz the 22nd Jany tho daily expected. Nevertheless the Count had sailed with his whole force and taken possession of St. Kitts except one post on Brimstone Hill which was invested and was thought could not hold out long. The Count had 30 Sail of the Line with him and Admiral Hood with 19 Sail of British was at Barbadoes. When the reinforcement from France arrives, he will have a force sufficient to crush the remaining power of the British in that quarter And whether they will still help their garrison of New York and Charlestowne doing nothing, and leave their West Indies possessions at the mercy of the French and Spaniards time alone must evince.

In consequence of your Excellency's letter of the 22nd day of November last we gave notice to our fellow citizens of the provisions ordered for such of them as would immediately proceed to Carolina and draw orders on Mr. Ross in favor of Doct. Rudd, Messrs Hall and Muirhead for 200 dollars cash (payable at 4 months sight by Mr. Ross' desire) which he accepted. A few days after we drew on him in favor of several more which to our great surprise he refused accepting. Since this a number of others have applied but as Mr. Ross says he is largely in advance already, and cannot sell any of the Indigo but at a great loss—we have stopped our Draughts. This has been a great disappointment to a number of our unfortunate countrymen who being without the means of subsistence were preparing to return home, and are now in the greatest distress how to act, or in what way to support their families. We mentioned to Mr. Ross your having signified to us that he would advance a sum out of monies he ought to have of yours in his hands but his reply was that he had not a shilling on that account. As we suppose he has wrote fully on the subject we doubt not he will explain to your Excellency the motives for his conduct which we wish may be satisfactory.

Several passengers who sailed with Commodore Gillon from Holland, are arrived at Boston, they say when they left Spain he was preparing to sail again and they imagined he put to sea in Decbr. This day is fixed on by Congress for taking up again the affair of

Vermont when we expect it will be finally determined whether or not they are to be declared an Independent State and received into the Union. This we mean to oppose as greatly detrimental to our State by weakening the Southern Interest and throwing too great a weight into the opposite scale. We are in daily expectation of advices from Europe which we shall not fail to communicate by the earliest opportunity.

We are with great respect Sir. Your Ex Most ob serv.

Tr (ScU: South Caroliniana Library).

[1] Although this Tr is dated "18 July, 1782," internal evidence clearly indicates that it was written in February. The opening reference to their letter of "the 27 ulto. by Mr. Hall," for example, is to the South Carolina delegates letter to Rutledge of January 27, and the "letter of the 27th Dec. from Genl. Green" was received by Congress on February 6.

[2] For the transmission of Greene's letter to Congress, see Virginia Delegates to Harrison, February 15, 1782, note 2.

Samuel Livermore to Meshech Weare

Dear Sir, Philadelphia Feb. 19th. 1782.

I recd. your favour of the 4th instant respecting back rations, subsistance &ca claimed by the officers of our line.[1] There is no resolution of Congress recommending to the states to pay any thing of that kind. Tis a misfortune that none of our journals have been printed for near two years. I suppose Genl. Sullivan brought you a compleat set of all that ever were printed. I enquired of the secretary & a number of the old members who all concurd in opinion that the states had nothing to do with the rations &ca. Enclosed is a report of a comtee. respecting Vermont but I believe it will never pass congress. several days have been spent on the subject.[2] I wish for your sentiment on it.

I have the honour to be, your most obedt. servt.

S Livermore

RC (Nh-Ar: Weare Papers).

[1] Meshech Weare's February 4 letter asking Livermore if "there has been some Resolutions of Congress recommending to the States to settle respecting Rations or Subsistence Money" is in *N.H. State Papers*, 10:577–78.

[2] The enclosed report, the work of a grand committee on which Livermore had a seat, had been under discussion since February 14, but the journals contain no record of such proceedings until this day. See *JCC*, 22:80; and New York Delegates to George Clinton, March 5, 1782. The report, in the hand of Elias Boudinot and endorsed "Delivered Feby. 18," is in PCC, item 40, 2:253–60, and *JCC*, 22:105–13.

Oliver Wolcott to Laura Wolcott

My Dear Philadelpa. 19. Febry 1782

I have the Pleasure to inform you that I am well. I wrote to Laura the 11t instant Acknowledging the Recet of her Letter of the 26t last. I wrote to her the 25t Decr of which she takes no notice.[1] For my last Letter to her, she will inform you, that the Report which she mentioned was not true.

I hope that you Attend to your Health and that you injoy it. I wish to hear frequently from you. Letters sent to the Post Office at Hartford will probably come safe, if it shall happen otherwise, no ones Curiosity will be much gratified by a failure as the Correspondence will contain Nothing but Matters of a common domestick Nature.

His Britannick Majesty's Speech I inclose.[2] It is such as might have been expected. The War must be expected to continue but if the States exert themselves properly We have every Reason to beleive that it will terminate well. Yours, O Wolcott

RC (CtHi: Oliver Wolcott, Sr., Papers).

[1] Wolcott's fatherly letters of December 25 and February 11 to his daughter Laura are in the Oliver Wolcott, Sr., Papers, CtHi. A "domestick" letter from Oliver to his wife Laura of February 8—explaining that he had written to her on January 8, 21, and 22 and to their daughter "Rhina" on January 30—is also in the same collection.

[2] The "Speech" of George III at the opening of Parliament on November 27, 1781, was printed in the *Pennsylvania Packet*, February 19, 1782, and appeared in several broadside editions. See Evans, *Am. Bibliography*, no. 17,552.

Elias Boudinot to Elisha Boudinot

My Dr Brother Philadelphia Febry 20t 1782

I wrote you some time since but have not heard from you since I left home. There having been an entire dearth of News, otherwise should have wrote you oftner. We have lately been advised that Count de Grass has taken Possession of St. Kitts. The Garrison have taken to the Fortress on Brimstone Hill. It is supposed the Enemy must have capitulated before this.

We are also informed that a large Spanish Fleet consisting of 41 Ships of the Line & 16 Frigates & 4000 Men have sailed from Cadiz—19 Ships of the Line & 15000 Men from Brest, both to join in the latitude of Madeira.

I imagine the Truth is, that 19 Ships from France & 15000 Men are actually sailed for the West Indies—That 4000 Men & 4 Men of war have sailed for the same Purpose from Cadiz—That these last have been escorted to a certain Lattitude by the Grand Fleet of Spain.

There is not the least prospect of Peace, or scarcely a possibility of it—on the other hand, every Measure is adopting in England to send over a large body of Hanoverians and some English Regimt. early in the Spring. The Com in Chief Expects the next Campaign is to be the most important of any that has been or will be in America this war—Alass! We are distressed with the languor & Inactivity of the States. All that can be done by Congress, has been to rouse them from their Lethargy—but all is treated as a Matter of Course. We have no official Information of any spirited Measures taken by any State in the Union, equal to the necessity of the Times. The reduction of the Line of the Army in point of numbers are distressing.

I enclose you a Warrant[1] I find among my Papers that I recd at Trenton on my way down & which has slipped my Memory.

Your Sister & Susan are very hearty and wish to be remembered in the most Affectionate manner to Sister and all with you. My Cash is all gone. I must earnestly wish you could get some for me from Copperthwaite. I can get none from the State. The Expence here is immoderate.

I am, My Dr Brother, Yours Afftly. E. B.

RC (NjP: Thorne Boudinot Papers).

[1] Not identified.

Samuel Osgood to John Lowell

Dear Sir. Philadelphia Feby. 20th. 1782

I postponed sending the Letter dated Feby. 12th being then doubtful whether it was best or even prudent for me to write at all upon that Subject or the several Matters herein mentioned as I have not had Time to weigh them well; But as I am sure of your Candour & that these Matters will rest with you alone, upon my particular Request, I hesitate no longer.

The Plan of the 18th of March, (which I think the Feelings of Massachusetts will not permit them to forget very soon) was productive of Burthens which your Citizens now groan under on Account of the old Currency. But there are three Ways by which the suffering Individuals might yet be releived—Tho I cannot flatter myself that either will be adopted at present. One is a Permission to Loan it. This the Financier will not consent to because he has no permanent Funds to discharge the Interest & you have not agreed to the Duty of five per Cent, till this is done all your Exertions will be considered in a different Point of Light from what they ought to be.

Samuel Osgood

The Second is Liberty to discharge the Requisitions of Congress. This probably would afford more immediate Relief than the other & I don't know how Congress could reject it if you should collect it for your Deficiencies on the past Requisitions excepting those for hard Money, it might possibly create some Difficulties but Congress has no compulsory Power over the State & I beleive they would finally do that which would be right respecting it. The third is, that the Resolutions of March 18th so far as they Respect calling in the old Money should be immediately complyed with by all the States therein mentioned. This alone seems at present to comport with the Ideas of the Financier. If Congress had any Authority at all & could enforce a Compliance from the delinquent States in any reasonable Time, it would be the most advantageous Relief to the present Holders of that Money. But you know their Authority. From all the Conversations I have had with the Financeir, I am perswaded he is most anxiously concerned that Justice should be done to the several States in the Settlement of their Accounts with the united States and that they should be adjusted as soon as possible. By his Letters to the State I think you approve in general of his Ideas respecting the Matter. His Situation is certainly very uncertain & precarious—we have either very little need of such an Officer; or it is, in Case he is needful, absolutely necessary to support him. If by the Confederation the several States are to feed, pay & Cloath their own Troops then the Office of a Financier cannot be of any great Consequence but if those matters are to be brot into a continental View the Office becomes exceedingly important & it requires great Consideration to know what is the most equal as well as sure Plan of supporting it. Congress have supposed, & the Financer is warm in the Opinion that it is a Duty on imported Articles. As yet Massachusetts, Rhode Island, Maryland, South Carolina & Georgia have not complyed with the Recommendation of Congress. The Necessity of adopting this Plan or some other seems to be very great when it is considered that there is no Kind of Certainty in the Requisitions. The Financier is so determined upon the Plan of a Duty that I apprehend he thinks it is impossible for him to continue in his Office unless it is complyed with. He espouses & maintains the Justice, Equality & Policy of the Plan with great Warmth yet as it is not a prerogative of Congress by the Confederation every State is at Liberty upon mature Deliberation to adopt or reject it as they may think expedient.

I am very unhappy to find that my Ideas do not coincide with the Financiers upon this important Matter. It has ever appeared to me that such a Kind of Tax would be far from operating equally when the Extensiveness of the Country is considered & their exceeding different Modes of living & supplying themselves. I would most willingly impute it to my contracted Notions of the Matter if I found Men of Discernment almost universally against me. The Certainty of the Fund has appeared a much better Argument in Favor of the Duty, to me, than that drawn from its operating equally. If by equal is meant that every one should pay in Proportion to his real Ability surely they will not. I know it is said that a Duty of five per Cent will have no Tendency to raise the Price of Country Produce; but this is far from being certain & should it be otherwise it would operate very unequally in the State in which it is collected as well as between the united States. But it is said the Consumer finally pays it. This is undoubtedly true. But do not those who live in Cities & Seaport Towns generally consume of imported Articles three to one more than People that live in the Country & of equal Ability. And even in Cities do not Men of very large Fortunes live like Misers? Ought they to be placed in a Situation that they may almost entirely escape Taxation? If a Miser's Hoards are very dear to him why should he pay less for the Protection of them than other Men? But it is said this Kind of Tax is paid insensibly & voluntarily, & that the Experience of other Countries teaches us that it is the best Mode as it excites the least Uneasiness in the Community at large: That this is good Evidence as to the Wisdom & Equity of the Mode. However plausible this Argument may appear it is not in my Opinion conclusive; because it is found necessary to enforce the Collection & payment of this Tax to have very severe Penalties. And notwithstanding the Action or Payment is voluntary it is no greater Evidence of the Chearfulness with which it is done—Than it is an Evidence of the Goodness of a Mans Intentions who to avoid the disagreeable Confinement of a Goal voluntarily takes an Oath of Allegiance to a Sovereign that he would not otherwise acknowledge. Where a Person has but a Choice of Difficulties he necessarily chooses that which appears to him the least. But granting that it is a certain & expeditious Way of collecting & upon the whole tolerably equal—Is it certain that this Mode is best adapted to promote the present & future Welfare of a free People? Will the Monies arising therefrom be so well accounted for as when a known & certain Sum is called for from the People, have not the Laws to enforce the Payment thereof always been evaded in numberless Instances by Men who would not like to be called dishonest in other Respects; yet they are not so sensible of moral or political Obligation in this Matter as to prevent their evading of it with a safe Conscience if they can do it with Safety to their Interests. It has a Tendency to habituate the People to the Idea of Bribery & Corruption for they have & ever will be practiced with great Ingenuity where Interest is so nearly concerned. But if it should finally be tho't expedient to comply would it not be wise that some Articles should pay a much heavier Duty than others. But, perhaps there may be one Matter to be settled which did not occur to me till now, before any Arguments need be adduced in Favor of, or against the Question; That is whether by the Constitution the General Assembly is vested with Power to grant this Duty & that it shall be placed to the Credit of the united States in the first Instance. I am doubtful whether they have any such Authority upon a fair Construction of the Paragraph that Respects Imports & Duties & the Appropriation of the Money arising therefrom.

If this is no Hindrance I have another objection which I wish to have fairly weighed. It is this, in Case all the States agree to it & the Payment & Collecting of the Duty is enforced by Ordinances of Congress—What Assurance has one State in the Union that the Laws will be alike & equally executed & if not where is the Power of Compulsions will Congress have any or the States that are injured but an Appeal to Arms? For Instance if an officer is appointed to collect the Duty in Massachusetts we must be sensible that the Ingenuity of hundreds will be employed to Bribe him as well as to evade the Law entirely. In Case of Complaint where & by what Court is the Tryal to [*be*] had?—undoubtedly within the State & by the Judicial Authority thereof. But will not the whole State be a Party against the other States? & is it not possible that they may be very deeply interested in the Decission so that a fair one can scarcely be had? Will not the State whose Trade shall apparently encrease be ever suspected of conniving at & secretly favoring a Breach of the Law? The States being free & independent Sovereignties will naturally be Jealous of each other & this may possibly be a direct Means of encreasing it. It is said that Farming out the Duty will prevent any Difficulty of this Kind—But I am not certain that it will. If there is great Probability that the Difficulty which I have started will take Place, for the sake of Justice let us deprecate a Repetition of the 18th of March or something worse.

I am very much in Favor of permanent & certain Funds. They must be established, or if the War is continued our Union, Independence & every Thing relative thereto after all the Blood & Treasure we have lavished to support them will be in very great Danger of being lost entirely. It is apprehended that another Campaign will determine us to be free & independent States if we exert our Selves properly, a due Proportion of which Exertion I have no doubt but Massachusetts will make notwithstanding all the Difficulties she labours under.

I think it is absolutely necessary that you should inform Congress as soon as possible that you agree to the Duty as recommended or that you do not—or that you will only agree to it conditionally, provided the State is credited for the Amount of the Duty.

Thus have I with Freedom opened my Sentiments, pray let them not rise up in Judgment against me.

I am, Sir, with great Respect, Your most humble Servant,

Samuel Osgood

N.B. I have enclosed a late Letter of the Financiers to Congress.[1] I was obliged to Copy it very hastily I cannot assure you it is perfectly correct. As Congress may possibly agree to forward this Letter to the States it may probably be better to keep it safe: & as the Subject Matter is also before Congress. I have also enclosed an Act of the State of Delaware for your perusal.[2] This you will see was lately pass'd.

RC (DLC: Osgood Papers).

[1] Osgood probably inclosed a copy of Robert Morris' February 18 letter to President Hanson recommending appointment of commissioners to settle the accounts of the staff departments and requesting that the states grant such commissioners authority to summon "Persons and Papers and to examine Witnesses upon Oath." Osgood was a member of the committee whose report formed the basis for the resolutions adopted by Congress this day to settle such public accounts. See *JCC*, 22:82–86; and Morris, *Papers* (Ferguson), 4:250–53.

[2] Osgood undoubtedly inclosed a copy of Delaware's November 13, 1781, act ratifying the five percent impost duty, which Congress only received on February 19 in a February 12 letter from Delaware president John Dickinson. See *JCC*, 22:81n.1; and PCC, item 70, fols. 773–77, 783–84.

Rhode Island Delegates to William Greene

Sir, Philadelphia, Feby. 20th, 1782.

Nothing of importance hath passed Congress since we last had the honour of addressing your Excellency.[1]

The affair of Vermont; a plan for settling the accounts between the several states and the individuals thereof with the United States; an amendment of the ordinance concerning captures on water; instructions to captains of private armed vessels; measures for effectually bringing into port and securing sea-prisoners, in order to exchange them for our unhappy fellow-citizens condemned to loathsom prison-ships, and for their comfortable support and accommodation on shore; a report for establishing a mint, and a circular letter to the States, founded on communications from Europe and a letter from the Superintendent of Finance, are upon the carpet. When Congress shall have decided thereon your Excellency will be seasonably furnished with their decisions.

We take this earliest opportunity to transmit to your Excellency the Speech of the British King; on which we take leave to make this single observation; that although it is as temperate as might be expected; yet it appears that he is determined to prosecute the war.[2]

We heartily congratulate with you on our allies having taken

best copy available

possession of the Island of St. Christophers, and hoping that we shall soon have occasion to rejoice with you on their further success, we are, with the highest sentiments of respect, Your Excellency's most obedt. servants, William Ellery

Ezekiel Cornell

RC (R–Ar: Letters to Governors). Written by Ellery and signed by Ellery and Cornell.

[1] See Rhode Island Delegates to Greene, January 8, 1782.

[2] See Oliver Wolcott to Laura Wolcott, February 19, note 2.

Charles Thomson to George Clinton

Sir Secy's Office Feby 21st, 1782.

I have the honor to inform your Excellency that your letter of the 15th of Jany Enclosing sundry papers touching a claim of Sir James Jay upon the United States, was laid before Congress. This matter has been several times under the consideration of Congress, and I have it in charge to communicate to your Excellency the report of a Committee on the subject, to whom was referred a letter of the 4th of Septr 1780, and on which report Congress passed a resolution on the 14th of December 1780 which I also enclose.[1] I beg leave just to observe that the Payment of interest for bills of Exchange was confined to money lent before the 1st day of March 1778, and that no certificates issued After that time were Entitled to that benefit.

I have the honor to be &c &c, C T

LB (DNA: PCC, item 18).

[1] The enclosed report on James Jay's claim and congressional resolution authorizing payment of $400 "in full compensation for the damage he sustained by depreciation" of monies Jay had advanced to "Otis & Andrews Continental Cloathiers in Boston" in 1778 is in *JCC*, 18:1152–53; and Clinton, *Papers* (Hastings), 6:497–500. Clinton's January 15 letter forwarding papers related to Jay's claim has not been found and is not mentioned in the journals.

Jay's frustration over his continued inability to obtain repayment of the $20,000 he had loaned Otis & Andrews in July 1778, which he had brought to congressional attention in July 1780, had led him to criticize Congress publicly over the pseudonym of "An Independent American" in the *Pennsylvania Gazette* during March and April 1781, which in turn had made it easier for delegates to turn a deaf ear on his renewed appeals in September 1781. The present dismissal of Jay's effort to obtain satisfaction through the intervention of Governor Clinton was apparently the final indignity that led him to defect to the British in April 1782 and to return to England. For accounts of this interlude in Jay's career and the principal documents relating to his dispute with Congress, see Richard B. Morris, *The Peacemakers: The Great Powers and American Independence* (New York: Harper & Row, 1965), pp. 298–99; Mary-Jo Kline, *Gouverneur Morris and the New Nation, 1775–1788* (New York: Arno Press, 1978), pp. 191–94; *JCC*, 17:638, 666–67, 791, 803, 18:1152–53, 21:884, 911–12, 1024, 1026; PCC, item 78, 13:171–74, 179–82, 211–14, 253–56, 273–76; Clinton, *Papers* (Hastings), 7:543–47, 562; and Thomas Bee to John Laurens, March 28, 1781, note 2.

Daniel Carroll to Thomas Sim Lee

Dear Sr. Pha. Feby 23d. 1782

I am much obligd to you for your favor of the 17th inst. & shall apply to Mr. Morris for the sum you mention. Considering the time I have been here, and an extraordinary expence by Keeping my horses all the winter (having been in daily expectation of being relievd) and the very expensive living in this City, the £100 cannot be deemd nearly suffict. to discharge all my engagements. I can assure you three times that sum *will not do it*. I therefore, & from what you say, hope that I shall in a very short time receive a Supply necessary to enable me to return.

I sent the Shoes for Mrs Digges & Razer to the Care of Mr Danl. Carroll of Baltimore—& will send those for Mrs. Lee to the Care of Mr Buchanan if I do not meet with an opportunity all the way. They will I expect be ready to morrow.

Feby 25th. All the intelligence we have is contained in the papers you will receive from the President & those I have sent to Mr Carroll. I sent to the printer for one for you but they were all disposd of. A few days probably will enable me to inform you particularly of what has happened in the W Indies.

I request you to let Mr Mullahon have the enclosd as soon as possible;[1] it is of Consequence to me.

Present me to yr Lady. Yrs Dr Sr with great esteem,

Danl. Carroll

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] For the subject of the enclosed letter to William Molohon, see Carroll to Lee, March 4, 1782.

John Hanson to Thomas Sim Lee

Dear sir Philadelphia Feby 23d 1782

I am honored with your Excellencys favour of the 17th. Am obliged to you for your Attention to my former letter respecting money. Mr. Worthingtons Phaeton will be finished in about three or four weeks.

A flag is just Arrived from Antigua wth. 180 Prisoners, by her we have an imperfect Account of an Engagement, some where near St Kitts, between the British and french fleets. Some of the prisoners say that after the French landed at St Kitts, the flag was ordered, that they were detained 8 or 10 days after she was ready to sail, that as Soon as a Vessel Arrived at Antigua, giving an Account that there had been An Engagement the flag immediately Sailed. These are thought by Some to be unfavourable Circumstances for had the British been Successful they would have been under no Apprehensions of Danger at Antigua and would not have Sent of the prisoners so Suddenly, if at all. In a few days we may Expect the particulars in a way which may be depended on. I think from the superiority of the French fleet the Issue must have proved favourable. Should that be the Case it is probable Brimstone Hill has Surrendered.

I have the honor to be with all possible respect, Your Excellencys most Obedient & hble Sert. John Hanson

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

John Hanson to Philip Thomas

Dear Doctr. Phil. Feby. 23d. 1782.

Your 6th letter I received yesterday by the post. I write every week. I fear tricks are played with my Letters at Baltimore—you had best write to Miss Goddart about it. I am happy to hear you Continue to mend—have waited till now in Expectation that Capt Richardson would Call on me on his return, by whom I thought it would be Safer to send the Doctrs. Opinions, than by the post—but I suppose he is gone without thinking it worth while to Call on me. You now have them inclosed and wish they may be Satisfactory—but I hope you will Continue your present plan, as you have found so much benefit by it. Do with Ned Barnes as you please. Boyer is not I am pursuaded to be softend, if He thinks Circumstances puts it in his power to Exact—dont indulge him—if he prosecutes and should be able to get Evidence to Convict him, I should make no doubt, for Such an offence, of procuring a pardon—it may not be amiss to Satisfy Ned that he is in no danger. I have not the least inclination to purchase Mr Bowles's Hand. Sall I am pursuaded will be very easy without him—if she wants to be Sold I have no objection to let Mr Bowles have her, at £100 (not less). Bond on Interest for the money will do. I observe Mr Lee, Mr Addison, and J Hanson, have Advertised their negroes for Sale. I was Surprised at it. I did not Know the motive. And wish their plan may Succeed. If there was no other risque, than that of the goods they may purchase, falling before they Coud be disposed of, on Account of peace takeing place, they would be perfectly Safe—be assured there is no prospect of that Event takeing place dureing this year—nor Shall we have peace in my Opinion untill we Can drive the Enemy from N york & Charles Town. You will See Some Account in the papers of An Action between the French and British fleets off St Kitts, which is all we have yet received. Various are the Conjectures as to the Issue, for my part I am Strongly inclined from the great Superiority of the French to Conclude, that they have gained the Advantage. In a few days it is probable we Shall have the particulars in Such Away, as may be depended on—if the Action has proved favourable on our Side. St. Kitts must be in the hands of the French before this time. A——'s news with Respect to Detroit is absurd, no French Force has ever been imployed against it.

Your mother is not very well, nor do I expect She will be perfectly recovered, untill the weather is such as to permit her to Exercise frequently. Little Kit is very well, has not had an hours Sickness Since you left us. We all join in Love to you and the Dear little ones. Agents from Vermont are now here, Soliciting for Independance. I wish that affair may not prove troublesome, and Injurious to the Common Cause.

Could not my Corn & Wheat be disposed of. Perhaps Colo Rawlings would take it. To make the payment Suit him, I would take an order on the Financier payable in a month after Sight. Corn at not less than 10/, which might be delivered as he wants it, if he wants flour, the wheat might be Carried to the Mill and ground into Coarse flour, such as is made use of for the prisoners. Unless I get some remittances from our state shortly, I shall be in want of Cash. A. too is destressed for money.

RC (MdHi: Hanson Letters). In Hanson's hand, though not signed.

Arthur Middleton's Notes for a Speech in Congress

[February 23? 1782][1]

Exchange Cornwallis?

NO. Because

1. Savior of the British [. . .] all hope of Conquest in him.
   He will obtain a Force which no other can.
   He will come to retrieve lost Honor.
   And a small additional Force will secure them the South.
2. He knows the Country—and Army positions—his position is [. . .] leader of Army.
3. It will affect the.people to South to see a Beast let Loose.
4. He should not be liable to exhange as a Barbarian. An Infringer. Capitulations, sacred.
5. The British would not be willing to exchange him if it did not mean he should *act*.
6. Advantages to America by exchanging him will not be compensation for *mal* of liberating him.

Arthur Middleton

7. His nonexchange only mode of retaliating for his misdeeds and corrects the mild but impolitic Capitulation of York Town. It will put *stigma* on us which will go down to *Posterity*.

MS (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] These notes, apparently used by Middleton for a speech in Congress this day, represent the culmination of an effort begun the previous October by Middleton and several southern delegates opposing the exchange of Lord Cornwallis because of his "cruelties" during the southern campaign. See Elias Boudinot to Lewis Pintard, October 24, note 2; John Hanson to Washington, December 5, 1781, note; and South Carolina Delegates to Charles C. Pinckney, January 15, 1782. On February 18, Congress had authorized Washington to neogtiate a general cartel but forbade "the exchange of Lieutenant General Cornwallis by composition." *JCC*, 22:76–77. In the meantime, however, Washington protested earlier restrictions against Cornwallis' exchange which had prevented "the liberation of Brigadier General Scot, seven Colonels and two Lieut. Colonels, who . . . are equivalent to his Lordship in value," and relayed letters from Sir Henry Clinton proposing an exchange of Henry Laurens for Cornwallis. On February 20 Washington further protested the "secret Resolves" of February 18 prohibiting such an exchange, explaining at length "the difficulties in which it involves me personally, and the manner in which it affects . . . the public good." See Washington, *Writings* (Fitzpatrick), 24:4–6, 9–12. Both letters were referred to a committee appointed February 20 and chaired by Elias Boudinot that recommended on the 23rd that Congress repeal the "secret resolve," which it promptly did. Thereupon, Middleton offered a motion against exchanging Cornwallis by composition because he was not "a British general, but a barbarian," whose progress in the southern campaign "may be traced by blood wantonly spilt, by executions unwarranted even by military regulations, and by the indiscriminate plunder of the property and destruction of the habitations of the widow and the orphan." Demonstrating the depth of southern feeling, Middleton further proposed that unless Laurens were paroled, Cornwallis should be recalled, and that if prisoner accounts were not settled, "British prisoners be compelled to work for their livelihood, or otherwise disposed of for the public benefit." Despite Middleton's impassioned presentation this day, however, Congress adopted the Boudinot committee's report authorizing the exchange of Cornwallis for Laurens provided assurances were obtained for the quick settlement of prisoner accounts. See *JCC*, 22:93–95; and PCC, item 185, 3:16, item 186, fol. 15. An early draft of the resolution Middleton offered this day is also in the Middleton Papers.

James Madison to Edmund Pendleton

Dear Sir Philada. Feby. 25th. 1782

The irregularity of the post has again left me two of your favrs. to acknowledge at once, the first of which is of the 28th Ultimo & the other of the 11th instant. My two last it seems have miscarried altogether.[1]

You have been misinformed I find with respect to that article in the scheme of the bank which claims for it the exclusive privilege of issuing circulating notes. It is true Congress have recommended to the States to allow it such a privilege, but it is to be continued only during the present war. Under such a limitation it was conceived both necessary to the success of the scheme, & consistent with the policy of the several States; it being improbable that the collective credit & specie of the whole wd. support more than one such institution, or that any particular State wd. during the war stake its credit anew on any paper experiment whatever.

We have letters from Cadiz as late as the 7 of Jany which impart that a Spanish fleet composed of 41 Sail of the line sailed from that port on the 3d of the same month which had under their convoy transports with 4000 troops supposed to be destined for the Havanna. It was said the fleet was to cruize off Madiera & to await the junction of the Ct. de Guichen who had sailed from Brest on the 11th of December with 19 ships of the line convoying 15,000 troops wch. with a part of the fleet it was supposed would also proceed for the W. Indies. It was reported however that an action, the issue of wch. was unknown, had taken place between de Guichen and a British squadron of 13 Ships under Admiral Kempenfeldt. This it was apprehended might disconcert the arrangement with the Spaniards. Nothing definitive had happened at Minorca, but the reports continued to be flattering.

The fate of Brimstone Hill the only remaining post on St. Kitts is not yet known here. A flag which came in a few days ago, with prisoners from Antigua confirms a preceding rumor of an engagement between Hood & de Grasse the former of whom had made an essay to relieve St. Kitts. An Antigua paper labours to make it probable that Hood had succeeded & that the French had lost a ship of the line, but the private information reverses the probability. The next post I hope will remove the uncertainty in which this must leave you.

The inclosed papers will at length gratify you with the Speech of the British King & the address of the two Houses of Parliament. The debates to which they must have given birth are either not arrived at N. York or they are backward in publishing them. The amendment proposed to the Address in the Upper House could not well fail to have produced an interesting skirmish between the oratorial combatants.

The Gentleman from this place[2] who reported the certain evacuation of N. York was an impudent liar. There has not existed here a whisper to palliate his offense.

I am Dr. Sir with very sincere regard Yr. &c

J. Madison Jr.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:73–74.

[1] For Pendleton's letters of January 28 and February 11, see ibid., pp. 48–50, 62. Madison feared that his letters of January 22 and February 7 had miscarried, but Pendleton acknowledged receipt of the latter in his letter of February 25. Ibid., pp. 75–76.

[2] Not identified.

Virginia Delegates to Benjamin Harrison

Sir Phila. 25th February 1782

We have your Excellencys favor of the 9th of this month.[1] Since our last the plan for the final settlement of the public accounts from the commencement of the War to the 1st of January 1782, which we formerly mentioned to be under consideration has been adjusted and agreed to by Congress and will be fully explained to your Excellency by the superintendant of finance to whose department it properly belongs.[2] The want of the rule prescribed by the articles of Confederation and which from the particular situation of some of the States could not now be obtained rendered the adoption of any mode very difficult. The one proposed when the variety of circumstances and interests to be combined upon the occasion are considered will perhaps be found as free from exception as any that could be devised and will it is to be hoped meet the approbation of the States.

We have reason to believe it has not proceeded from partiality to the Eastern and Middle States that contracts for the southern department have not been proposed, as previous to the receipt of your Letter we had shewn attention to this business, and found the Financier disposed to take that course for supplying the southern department so soon as Taxes were laid and likely to be collected in those States to enable him to comply with such engagements as he should enter into for that purpose. If any preference appears to have been given to the State of Pennsylvania in the benefit of Contracts we are assured it has proceeded from the money supplied by that State to enable the superintendant of Finance to fullfil them. This money was supplied in commutation for the specific requisitions due to the united States. It may with truth be said that the States as Virga. which supplied the specifics did their duty as much as Pennsylvania wch. commuted for money, but unhappily the latter mode only has put into the hands of the superintendant the means of fullfiling future contracts.[3] We must beg leave to refer to the inclosed paper for the news and are very respectfully, Sr., yr. Excellencys obed hum. servts.

James Madison Jr. Jos. Jones.
Edm. Randolph. A. Lee

RC (Vi: Continental Congress Papers). Written by Jones and signed by Jones, Lee, Madison, and Randolph.

[1] See Madison, *Papers* (Hutchinson), 4:58–60.

[2] In response to Robert Morris' February 18 appeal, Congress adopted resolutions on the 20th and 27th that established procedures for settling the accounts of individuals and the states—a step that eventually resulted in the settlement of all financial accounts stemming from the war. The states were informed of Morris' initiative in his circular letters of March 9 and April 5, 1782. See PCC, item 185, fol. 13; *JCC*, 22:82–86, 102–4; Morris, *Papers* (Ferguson), 4:250–53, 376–78, 519–21; and Madison, *Pa-*

pers (Hutchinson), 4:67–69. See also Samuel Osgood to John Lowell, February 20, 1782, note 1.

[3] Robert Morris' method of "fulfilling . . . contracts" for the army had drawn Governor Harrison's ire in both his February 7 letter to Morris and February 9 letter to the Virginia delegates, the latter of which became the subject of meetings with Morris on February 23 and this day. Despite the delegates' explanation of Morris' position in this letter and Morris' rejoinder of February 26, Harrison continued to take exception to the superintendent's reluctance to award contracts to Virginia, his attempt to dictate the means by which the state met its financial quota, and his denigration of the state's accounting procedures. See note 1, above, and Morris, *Papers* (Ferguson), 4:8–9, 186–87, 295, 299–301, 313–14, 465–66, 475–77, 558–59.

Elias Boudinot to Elisha Boudinot

My dear Brother Philadelphia Febry 26 1782

I have communicated the Contents of your Letter, to the Virginia Delegates, who desire me to return you their acknowledgments for your Services. Mr Griffin is in this Town & will be informed of it immediately. The rest is sent by Post to Virginia & will require two Months before you can get an Answer.[1]

We have not the most distant prospect of Peace, but the most Vigorous Campaign on the part of the Enemy is in View. I wish I could say as much of the united States. I am fully of opinion that England will draw out their resources to the utmost, and if there is any vigor in the british Lyon yet left, we shall now see it.

The South Carolina a State frigate, lately arrived from Spain at the Havanna carried in with her five valuable Jamaica Men—so that impoverished State will be in a great Measure be reimbursed for part of their enormous Expence attending that Vessel.

Love to your Rib & little family in which your Sister & Susan Join. Am with great Affection, My Dr Brother, Yours Affly,

E B

[*P.S.*] It may happen that I may want the most Confidential Person for a certain old Business. I wish you would turn your Attention to this Business. I could wish two or three, one to be Stationary over the water, the best Pay wont be wanting.

I break open this to say—That I am advised this moment, that a Vessel from St Croix brings Intelligence of the Surrender of Brimstone Hill, and that 3 English ships of the Line are sunk & one French Do.[2]

RC (NjP: Thorne Boudinot Papers).

[1] The "Contents" of Elisha Boudinot's letter has not been identified.

[2] The British fortress on Brimstone Hill, St. Kitts, had surrendered to French forces on February 12. William M. James, *The British Navy in Adversity* (New York: Longmans, Green & Co., 1926), pp. 325–28.

Elias Boudinot to Lewis Pintard

My dear Sir, Philadelphia Febry. 26. 1782.

Am much obliged by your Favour of the 23d Instt. and by your attention to my little Family affairs.

Yesterday Letters were received from Capt. Gillon who is arrived at the Havanna, and carried in with him five Jamaica Men, who had on board in addition to other Valuable Articles One thousand & forty Hogsheads of Sugar & 190 Puncheons of Spirits. This is the Vessel in which Mr. Searle took Passage, but he left her at Corrunna & returned to Paris.

Flour is here at about 18/—and nothing appears here to suit your purpose at present. The Ration business is too complicated & uncertain for you to think off. I Have spoken to Mr. Morris about the Cauliflower Seed & believe shall obtain it. If I see the Post, shall send you the Key of my Iron Chest, which I beg you will make use of & send me a Bundle of Papers sent by Samuel Stockton Esqr since I left home, containing a number of Papers relative to Mr. Morton's Cause with Mr. Lewis. As to the spotted Steers I mean to keep them, in order to give you some future New Years dinner. I wish you would see that the Negroes are well purged after the Pork turns. Henry & Susan are well & desire love Am My Dr Sir, Yours Affectly,

E B

[*P.S.*] It is reported from N York, that 19 empty Transports are sailed for Charles Town. Patty writes by Capt Dennis.

Tuesday 6 oClock PM. This Moment a Vessel in 14 Days from St Croix, Brimstone Hill has surrendered. The English lost 3 Ships of the Line sunk—1 French Do.

RC (DLC: Gideon Welles Papers).

William Floyd to George Clinton

Sir, Philadelphia Feby. 26, 1782.

I omitted writing to your Excellency by last post Expecting that before this day Congress would have Come to Some determination on the Vermont Business,-and that I might by Now, have been able to have given you fully the Sense of Congress on that Subject. But notwithstanding every Effort which Mr. Scott and myself have been able to make, we have not been able to bring it to a Question. The Report has been fully Debated and I believe that Nothing Now Can be said for, or against the Report, but yet we Cannot Get the Question. The Reasons as I imagine which hinders are, that there being Seven if not Eight States, for giving them Independance within their original Claime, and as it is one of those Questions which Requires nine States; they are puting it of in Expectation of Obtaining one or more in their favour. Your Excellencys Letter of the 5th Instant[1] with the Intelligence from New York Came to hand in time, Even while we had the Matter under Consideration which I Read to the house, and which Corresponded Exactly with what we had Recd. from new York through another Channel; this put it out of Doubt in the mind of Every Gentleman in Congress that they have Entered into Such Treaty, but those who wish to befriend these Traytors to their Country, Endeavour to Extenuate their guilt by Saying that they only meant to Deceive the Enemy and that nothing Real was Intended.[2]

The Difference between us in Congress on this Question is, whether We Shall again offer these people Independance or not. 7 or 8 States are for the Question, yet I believe there are so many Opposed to it that they will not be able to get nine States. Under these Circumstances I am afraid that Nothing Effectuall will be Done very Soon.

We have no late accounts from Genl. Green, the Report or Information which he had of a large Reinforcement from Ireland, is we think without foundation.

I am Sir with the Greatest Respect and Esteem, Your most obedt. and humble Servt. Wm. Floyd.

MS not found; reprinted from Burnett, *Letters*, 6:306–7.

[1] Not found in PCC or Clinton, *Papers* (Hastings).

[2] Floyd was referring to the negotiations of Vermont agents with the British.

Samuel Livermore to Meshech Weare

Dear Sir Philadelphia 26th Feb. 1782

Nothing material has occurred since my last, except that the Vermont comtee Allen, Fay & Curtis are gone home.[1] Tis said 19 large transports went from N.Y. some days since for Charlestown, some say to bring off the Garrison, others say to Carry home to Europe a Cargo of rice & ind. Time will discover.

I am disappointed in not Seeing Mr Langdon here. I intreat he may be hastned on & that another delegate may follow him so as that I may be relieved by the first of May.

I have the honour to be, Your most obedt humble Servant,

Samuel Livermore

[*P.S.*] Your tickets shall be remembred.

RC (MHi: Weare Papers).

[1] The Vermont agents notified President Hanson on February 21 of their intention to return home, "persuaded at the same time that no measures destructive to the peace and tranquility of Vermont will be pursued in the absence of the delegates." See PCC, item 40, 2:261–63; and Walton, *Vermont Records*, 2:261–63.

Silas Condict to William Livingston

Dr. Sir Philada. 27th Feby. 1782

Since I have been here Congress have had Several debates about a certain John Temple whose Conduct in going to England and returning, of which I Suppose your Excellency is apprized, has rendered him a Suspicious and dangerous character. Congress have this day Recomme[n]ded to the State, of or rather to the Governor, of Masechusetts to enquire into his Conduct and his views therein, and to take measures to prevent his inimical designs, if it appears that Such he has, from being injurious to the United States;[1] in the debates it was mentioned that the governors of Masechusetts, Connecticut & Newjersey had wrote in favour of the Said Temple, and besides what was Mentioned in the House I been Taxed out of doors, as then being a member of Council, of carressing him in conjunction with the Governor & Council, Some time a year or two past. I, in answer had only to Say, I was Ignorant of the Matter and of the Man, and I do not recollect that I ever Saw him and if anything of the kind ever happened in Council, I Suppose I Must have been absent. For My own Satisfaction, if your more important business will admit, Should be glad to be informed whether the Council, as Such, did ever discuss his Character or Say or do anything recommenditory of him, and whither you have wrote in his favour, for though it was not Mentioned in public with a view to cast any Odium on your Excellencys Character, yet I confess it Struck me rather disagreeably & therfore wish for the Satisfaction of being informed.[2]

We have nothing Special in the news way more than what is in the publick prints. The Vermont affair which has been many times lately agitated in Congress is not yet determined upon, I doubt we shall have trouble from that quarter. Congress have now a Resolution on the Carpet for appointing a Commissioner for each department of Q.M., Commy. genl., Hospital, C[l]oathier, and Marine, to Settle & adjust their respective accounts.[3]

I am Sir your most Obedt. Huml. Sevt. Silas Condict

RC (MH–H: bMS Am 1535).

[1] See the following entry.

[2] For Livingston's endorsement of Temple's character in 1778, see Livingston, *Papers* (Prince), 2:486–87.

[3] See Samuel Osgood to John Lowell, February 20, 1782, note 1.

John Hanson to John Hancock

Sir, Philadelphia, 1st March 1782.

It is the pleasure of Congress that I inform your Excellency and the Council of Massachusetts, that matters of public concern and the pressing necessity of making provision for the ensuing campaign have hitherto prevented them from attending to a subject, which, though it respects an Individual, may have an influence on the public affairs of these United States.[1]

The suspicions and Jealousies excited by Mr. John Temple's return to America in 1778, and the Reports currently circulated in England relative to his Mission, are notorious. The time and manner of his coming to America, as well as the person accompanying him, who is now resident in, and a subject of Great Britain, gave great force to the suspicions then raised. These suspicions instead of being allayed were increased by Mr. Temple's return to England, and by the rumours and publications respecting his intercourse and conferences with the British Ministry. His coming again to America, without explaining his views and, as far as is come to the knowledge of Congress, without any leave previously obtained, and this at the very time when the enemy entertained the fond hope of having subdued the Southern States, cannot fail to excite new Jealousies and a suspicion of his being employed as an Emissary from the British Crown.

I am directed further to inform your Excellency and the Council, that, although Mr. Temple was the Bearer of some letters from the honorable John Adams, at Amsterdam, yet the subject of the letters with which *he* was intrusted and of those which Mr. Adams chose to send at the same time by another conveyance, sufficiently evince that he had not the full confidence of that Minister; and that the letter which Mr. Adams took the trouble of writing respecting Mr. Temple did in no wise account for his past conduct or explain his future views or designs. Therefore, as the United States ought to be on their guard, as well against the secret arts as open force of their subtle and inveterate enemy, it is the wish of Congress that your Excellency and the Council would enquire strictly into the conduct, views and designs of Mr. Temple; and, if you are not fully convinced of the uprightness of his intentions, or if you have any apprehensions that he has, in his visits to America, been countenanced or employed by, or has acted in concert with, the British Ministry or their Agents, that you take such measures respecting him, as may put it out of his power to injure the cause of these United States.

Such is the evident magnitude and importance of the investigation above recommended, and so essential is it to the happiness and political salvation of the Citizens of these States that the secret machinations of our enemy be guarded against, that I rest asured your Excellency's and the Council's attention will, without delay, be directed to this necessary business.

I have the honor to be &c. J. H.

LB (DNA: PCC, item 16).

[1] For the February 27 congressional resolve directing President Hanson to alert Massachusetts officials to the suspicious nature of John Temple's return to Boston from London in October 1781, see *JCC*, 22:1–2, 101–2. Temple had introduced himself to Congress in November because he had brought with him letters for Congress from John Adams written from Amsterdam, where he had visited Adams en route to America. See PCC, item 78, 22:489–500, item 185, 3:3–4; and Wharton, *Diplomatic Correspondence*, 4:638–39, 845–47. For discussion of Temple's reception during this visit to Massachusetts and documents related to similar suspicions entertained of his earlier mission to America, see Lewis Einstein, *Divided Loyalties: Americans in England during the War of Independence* (Boston: Houghton Mifflin Co., 1933), pp. 108–11, and these *Letters*, 10:553–55, 11:357–59, 14:514–15.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir Philadelphia March 2d 1782

The Bearer Capt James Nicholson by Direction of Mr Morris, our Agent of Marine & Superintendent of Finance repairs to Connecticut to look into the Situation of the Continental Ship building at Middletown in order that if practable she may be compleated, if not—that she may be disposed of together with all the Naval Stores, that lay on hand.[1] The Honor as well as Interest of the United States, seem to call for some Attention to those Matters, and not suffer them to lay any longer neglected. We doubt not therefore Your Excellency will approve of Mr Morris Designs and will order & Direct all the needfull Aid & Assistance to be afforded Capt Nicholson in Execution of his Business.

We have just receed Your Excellency Letter per Brown & shall duly Attend to the Matter therein explaind.[2]

Remain with due Esteem & Respect, Your Excellencys Most Obedt humble Servant, Richd Law

Oliver Wolcott

RC (Ct: Trumbull Papers). Written by Law and signed by Law and Wolcott.

[1] Robert Morris' February 23 instructions to James Nicholson about the construction of the frigate *Bourbon* and his letter of that date to Governor Trumbull alerting him to the purpose of Nicholson's journey to Connecticut are in Morris, *Papers* (Ferguson), 4:296–98.

[2] Trumbull's February 21 letter asking for Continental support for ten companies of Connecticut troops to be raised for defense against British raids was read in Congress and referred to a committee of Samuel Atlee, Daniel Carroll, and Ezekiel Cornell on March 4. The committee's proposal to provide Continental pay and support as requested was rejected by Congress on April 19. See *JCC*, 22:115n.2, 196–200; and PCC, item 66, 2:208–12. See also John Morin Scott to George Clinton, April 23; and Connecticut Delegates to Trumbull, April 29, 1782.

Samuel Livermore to Meshech Weare

Dear Sir, Philadelphia March 2nd. 1782

I have drawn on you a set of bills of this date, in favour of the Hon. Rob. Morris, for one hundred pounds lawfull mony. Which sum he was so kind as to advance: and at the same time told me he had a letter from Col Langdon, informing him that my former bills wd. not be paid untill midsummer. I confess it gave me some anxiety for myself, as drawer of the bills, and some (but this I Leave you to judge of) as a member of that state on which the bills were drawn. I wish some meathod could have been hit upon to have satisfied Mr Langdon without exposing our poverty to so great a degree. And that my bills may meet with such payment as will not dishonour the state. But as the subject is painfull to me, to dwell on, and will doubtless be so to you, I shall proceed to the old story of Vermont, and that is worn a little thread-bare. Yesterday, after several days debate on the subject, a resolution was passed to strike out of the report of the Comtee. (you have the report) all that part which proposd to give Vermont another month to Comply with the resolution of Augt. last. &ca.[1] This you will very plainly see was to destroy the whole report. The debate will be taken up again in a few days; but what will be done I know not. I fear some would sacrifice the peace of N.H. & N.Y. both to gratify their darling Vermont: others will never agree to any terms that suppose the existence of their independance.

Between these two partys no one proposition respecting them can be agreed on.

You will perceive by the memorandum inclosed that the Lottery is not yet done drawing. I have the honour to be, Your most obedt humble servant.
Samuel Livermore

RC (Nh-Ar: Weare Papers).

[1] See *JCC*, 22:105–14, and Livermore to Weare, February 19, 1782, note 2.

Samuel Osgood to James Lovell

Dear Sir
Saturday 2d March [1782]

Nothing interesting has taken Place since I wrote you last.[1] We have employed this Week principally upon Vermont & after two or three Days tedious Debate, Amendments, Yeas & Nays upon the same, we finally came to a Vote upon the whole Yesterday.[2] Yeas & Nays

N H—No not represented
M—ay
R.I—ay
C—divided
NY—No
NJ—ay
P—ay
D—ay
M—ay
V—no
NC—no not represented
S.C—no
G—no

Mr. Woolcot was in the Negative not because he is against the State but he did not think that the Report was on liberal Principles. Thus we cannot make them independent: we cannot obtain a Vote to reduce them to Subjection to any of the Claiming States. The natural Inference seems to be that they must remain as they now are if they are contented to be so. I wish the Consequences may not be dangerous.

You will find that Congress have come to a determination on the Report respecting Mr. Temple,[3] which has been postponed from Time to Time, as you well know.

We have recd. no Kind of Intelligence respecting him & could not with much Reason request a farther Delay. I have in a former Letter requested you to inform me of his Situation with Respect to the

Government & I doubt not I shall by the next Post receive some Anecdotes from you on this Head.

Mr. Bond informed me this Day that the Journals of Congress for last Year are printed to September last & that the Printer is going on rapidly. This is a Matter of great Consequence to Congress as well as the States—as we are frequently at a Loss to know what we have done. Tho we may possibly by the Assistance of Charles,[4] get at a Knowlege of it, yet the States are totally in the Dark; where perhaps some of our Resolves ever ought to remain. But be this as it may, I think upon the whole Congress have done very well & great Allowances must be made on Account of the very different Views of the Delegates from the several States. This observation is needless to one who has had five years Experience. But as I am determined to fill up this large Piece of Paper, & nothing of material Consequence to inform you of occurs to my Mind, I have observed, which by the Way is no Observation at all & as I have but Just Room enough you certainly *see* (without the Irish Phrase Book) to sign my Name. I am, very sincerely, your obedient Servt, S. Osgood

RC (NN: Samuel Adams Papers).

[1] Not found. Only this letter from Osgood to Lovell has been found, and apparently Lovell gave it to Samuel Adams, in whose papers it is now located.

[2] See *JCC*, 22:104–14.

[3] See John Hanson to John Hancock, March 1, 1782.

[4] That is, Secretary Charles Thomson.

Thomas Smith to Arthur St. Clair

Dear Sir Philada March 2d 1782

I wrote to you the last of November, the Day after I entered our Fraternity,[1] and having gone down to Maryland, I went in less [than] three weeks the Circuit c the back County Courts that is I went [. . .] my Uncle, and after a Journey of more than 900 Miles, I returned [to] this place the beginning of February and had the Pleasure of receiving [your] Letters, which you did me the honour of writing to me on your [trip], in that last Dated was inclosed a Draught on the Pay Master [. . .] Dollars, which I presented immediately; It was not in his Power [at tha]t Time to answer it; but after consulting with Mr. Morris, he [. . .] very obligingly assured me that he hoped to be able to Pay it [in a] few Days, on which I wrote to Mrs. St Clair[2] and informed her of this [. . .] that I should write to you by the first conveyance, and requested [that] Miss St. Clair would write as you were exceedingly anxious to hear [from] your family. It gives me very great pleasure to inform you, [that] although I have received no Letter from them to send to you, yet [I am] assured by Mr. Potts that they were all very well on Wednesday [even]ing. I received the Money last Saturday and shall send it up [tomor]row Morning by Col. Patton, being the first conveyance, it will [give] you further satisfaction and I hope in some degree relieve that [anxie]ty of mind which you must experience on account of your [distan]ce from your family, to be informed that Mr. Pierce has it in [his] Power to answer your next Draughts immediately on which sub[ject] you will probably receive a Letter from him before this reaches you.

The long laboured-awkward-whimsical *attempt* that you have made [at an] apology for giving me what you are pleased to call trouble about domestic affairs, most clearly betrays a consciousness, that it was doing [. . .] to my friendship & feelings to suppose for a moment that it would [gi]ve me the highest pleasure to do far more than such a nothing as this [. . .] or yours; But if you still suppose that I think any of your [comm]ands a trouble, which I have it in my Power to obey, why—why then relinquish your old friend and contract new friendships; Provided nevertheless that this shall be done only on the Express condition your intended new friend shall give you a reasonable proof that [he wi]ll obey your commands with more alacrity than your old one. [I have] enjoyed some ease since my return, because I suppose Mrs. Jenkins [doesn]t yet know it; but Dr. Jones yesterday made an attack with a great [. . .] modesty, & the Saddler with not quite so much.

[So] much for your affairs, I now return to Egotism. I am obliged to leave [here] & reside in Carlisle, as it was upon that condition that I am now at [liberty] to acknowledge that I am an old fellow. I have sold my House to Espy & [. . .]e's Place to Geo Funk—need I assure you that it will give me very [great] pleasure to hear frequently of your Health & Happiness & Success? or that I [am with] much Esteem, yours sincerely, Thomas Smith

[*P.S.*] I sent the Money yesterday with James Potts Esqr.

RC (OHi: St. Clair Papers)

[1] That is, the day after his marriage to Letitia Van Deren, for which see Smith to Phoebe St. Clair, February 7, 1782, note 2.

[2] See ibid., note 3.

Daniel Carroll to Thomas Sim Lee

Sir Pha. March 4th. 1782

I did myself the pleasure of writing a few lines to you by last post, & inclosd a Letter to Mr Mullahon.[1] When he left this City, he informed me that from the Considerable advances he had made to the Maryland Delegates over and above the proceeds of the State Tobacco he found himself in such a Situation that he coud not return without some assistance, and I agreed to enter into a note with him for £167—payable in 30 days to a Mercht upon his promise to remit the money from Baltimore or Annapolis at farthest, and his engagement on his honor that the note shou'd not be discounted at the Bank. I have been exceedingly mortified in not hearing from him, and more so in being informd this evening that the Mercht to whom the note was given had discounted it at the Bank, & to morrow or next day I shall be calld upon to discharge it; The Consequence of a failure on my part will be that no note with my name to it will in future meet with a credit there. This will take the £100 Mr Morris is directed to pay me & every shilling I can raise, so that I shall remain without a farthing to pay my board, and several urgent demands upon me. I am realy sorry that the principal subject of my Letters should be on this disagreable topick, but I am now reduced to the necessity of entreating you to have something done to releive me. Altho Mr. Mullahon has accounted to you for £595.12.4 by my receipt on my paying the £167 on his acct. there will be that sum Comeing to me for last year payable in Pha which I wish the Honble Council woud stop in his hands, if they can *immediately* supply me with an order here for the amt, or that [you] will send this letter with a few lines to Major Jennifer who writes to me that he was to set out for St. Marys, that he may do the needful with Mullahon—at any rate under these circumstances yr Excellency and the Council will I flatter myself see the necessity [. . .] of furnishing me with a further supply, at least for [what] is due for the present year, if it cannot be done on [. . .] last years Accts.

I have the honor to be with great esteem Yr. Excellys Mo Ob Sev.

Danl Carroll[2]

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] See Carroll to Lee, February 23, 1782.

[2] Carroll also wrote the following letter to Lee on March 5:

"The inclos'd is submitted to you either to lay before the Council, or to send to Majr Jennifer who writes that he is going to St Marys where he will have I suppose an oportunity of seeing Mr. Mullahon. As I *must* pay the £167 this day on acct of Mr Mullahon I wish that Sum may be deducted out of the 595.12.4 for which I have been debited by him if the money can be replacd by the Council immediately. I Believe I coud borrow the money here for flour in Baltimore.

"We have nothing from the W Indies since the acct by the Kitty, Meade, in the papers. It is believed here that all St Kitts is in the hands of the French and that the Briton Fleet has been waisted with the loss of 3 Ships." Americana Collection, DNDAR.

Arthur Middleton to Edward Rutledge

[March 4, 1782][1]

Congress have authorized the proposal of Exchanging Ld. Cornwallis upon certain Conditions, among them, That of the Liberation of Colonel Laurens.[2] You will have heard of the Exchange of General Moultrie, & Colonel Pinckney before this reaches you. No farther News either foreign or Domestic of importance has reach'd us & Nothing in a publick Line worthy of Communication has occur'd. The Business of Vermont is still on the Anvil, & we have hopes of beating it cool by perseverance & the Assistance of Cold water.

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] For Rutledge's April 23 reply, acknowledging receipt of the information contained in this brief "4th of March" note, see *SCHGM* 27 (January 1926): 13–16.

[2] See Middleton's Notes for a Speech, February 23, 1782.

South Carolina Delegates to John Rutledge

Sir,[1] Philadelphia March 4th 1782.[2]

We have not been honor'd with any of your favours since the 22d Novr. last—nor have we receiv'd any Advices from Carolina which may be depended on, either respecting the Proceedings of the Legislature, or the Operations of the Army since General Greene moved down the Country, & forced the Enemy to evacuate their Post at Dorchester; We cannot but be anxious on both those Subjects, at a period so critical to the Interests of our Country, and are in daily Expectation of Intelligence, which we flatter ourselves will prove agreeable. It is with pleasure we acquaint you of our having, after much uneasiness on his Account, receiv'd a Letter from Commodore Gillon, dated the 30th January, informing us of his Arrival at the Havanna on the 13th with five Prizes of Considerable Value. He incloses Inventories of the Cargoes &ca and a Letter for your Excellency. We have answer'd his Letter & shall send Copies by the earliest Oppertunties from hence. We have advized him to the best of our Judgments, and according to our Ideas of the management which would be most advantageous to the Country as it is at present circumstanced; We inclose you Copies of our Letters to him, & hope will meet with approbation.

Congress have had Accounts, through a good Channel, of the sailing of 19 Transports from NYork on the 18th ulto. under Convoy of the Lion of 64 & the Rotterdam of 50 Guns. They were said to be bound for Charles Town; various Conjectures are formed of the Intention of the Enemy by this manoeuvre; some suppose they mean to evacuate the Southern Posts, & to remove the Garrisons back to New York, as it is reported they are building additional Barracks there, and the Transports were dispatch'd empty, immediately upon the arrival of the Narcissus from England; we cannot flatter ourselves with any thing so favourable to our wishes as the Evacuation of Chs. Town, a Circumstance which would be very agreeable, tho' not equally so with that of their being disgraced by Capture in a Country so long harrass'd by their cruel & iniquitous proceedings. We are rather apprehensive that their design is to remove the Slaves & valuable property they may have collected, to some place of supposed greater security, as they must have reason to conclude that a Cooperation of our Ally is not improbable, in which Case a Fate similar to that of Cornwallis must be expected by them, & tho' they cannot save themselves, they may wish to make sure of their Plunder—a short time will discover their Views.

In our last we mention'd our Difficulties with respect to Mr Ross & the Indigo;[3] they still continue, & many of our Countrymen are much distress'd, which gives us a good deal of uneasiness, as we have no private funds to supply their Necessities, nor any prospect of obtaining them Assistance elsewhere. We earnestly request to hear from you upon this subject as soon as possible. We contriv'd to obtain a Loan of 200 Dollars for Mess. Wm. & Stephen Lee, (who were about to set off in a most distress'd Situation), by pledging our Names for the repayment of the money in Two months; We are well dispos'd to contribute every possible aid to our fellow Citizens, but this is a mode which our Circumstances do not permit us to repeat.

Reports are circulated here, & carry the face of probability, that the French are in entire possession of the Island of St. Kitt's, & that in a Sea Engagement the British lost 3 Ships, & the French *one*, we daily look for a Confirmation, & hope to hear that the Forces of our Allies are pursuing the blow, & making a rapid progress in that Quarter. Admiral Rodney was to sail from England in Decemr. with 10 ships of the Line to reinforce Admiral Hood in the West Indies, but we trust they will not arrive time Enough to embarrass the proceedings of the French. Congress have acceeded to the proposal of the Exchange of Lord Cornwallis, upon certain Conditions, among them That of the Liberation of Col. Laurens—we used our Endeavours to prevent his Lordship's Exchange, but without Effect. You will have heard of the Exchange of Genl. Moultrie, & Col. Pinckney before this reaches you.

An Attempt has been again made to have Vermont declared independent, & admitted into the Union; but it receiv'd a Negative—only 6 states voted for it. We have No further News foreign or domestic; nor has any thing in a publick Line Occur'd worthy of Communication.

We are, &Ca.

P.S. Since writing the above respecting Commodore Gillon, Captain Jackson is arrived here, who transmits Col. John Laurens by this Conveyance a particular Acct. of his, Commodore Gillon's Transactions, which if true appear to us of a very serious nature, and require Explanation. We submit whether a fast sailing Vessel, (if to be got) being dispatched from George Town to the Havannah will not be the most expeditious way of forwarding your Orders to Commodore Gillon.

FC (James S. Copley Library, La Jolla, California). In the hand of Arthur Middleton.

[1] Although this letter may have been opened by John Mathews, who had been elected South Carolina's governor on January 29, 1782, the delegates (Thomas Bee, Nicholas Eveleigh, Arthur Middleton, and Isaac Motte) were clearly addressing their complaints about lack of intelligence from the state to John Rutledge, Mathews' predecessor. See South Carolina Delegates to John Ross, December 21, 1781, note 3.

[2] Middleton originally dated this letter "March 2d" but later superimposed "4th." An earlier less complete draft, dated February 27, is in the Middleton Papers, ScHi.

[3] See South Carolina Delegates to Rutledge, February 18, 1782.

Elias Boudinot to Elizabeth Ferguson

My dear Madam. Philadelphia March 5th 1782

It was not among the smallest Pleasures received by a Letter from Græme Park, that my good Mrs. Ferguson was satisfied with the reasons assigned for my disappointing her at so critical a period. It gave me real uneasiness to find that you failed in the intended Sale,[1] not because I think the Consequences will prove very disagreeable, but because I know you had set your heart on it, and I do not wish to have the smallest addition to the Afflictions of the Afflicted.

I cannot possibly approve of any Sale that will separate the long House from the Mansion House, unless it should be during the Time necessary for the Purchaser's building a proper farm House. I have spoke to Mr. Meade, and we mean to insert the substance of your Advertisement in the Books of the Several Land-brokers in this City. Many People who are Speculating apply to these offices, who never look at a News Paper. If this wont do, another attempt about the first of Aprill to sell at Vendue perhaps may answer the Purpose—tho' as I shall then be in Jersey it would suit me best about the Twenty fourth of March. This is supposing a Sale to be necessary. But would it not be a better Scheme to get some friend to undertake the leasing out the farm, with proper Covenants and restrictions, for a number of years, subject to all Taxes. I think this would fix your Income to a certainty and secure your Capital during Life. If you wanted a principle sum for to discharge arrears, this certainly may be raised by collateral methods, which would not injure the Capital or render your future Subsistence uncertain or subject to diminution. But as I determine to see you if possible before many weeks, I shall defer the Subject.

The enclosure of Mr. Young's Letter gave me great Pleasure, as it was at once a further Evidence of the friendship & confidence of my amiable friend. I greatly pity this young Gentleman and heartily wish he had followed the solid advice of his valuable Aunt, who certainly judged very rightly of his affairs, but I still hope his apparent good sense will yet enable him to surmount all his difficulties & strike out into some important Scene of Life. To avoid the Stage would be an evidence of his Judgment & Prudence, as it can promise him no good unless his abilities were uncommonly great, and even then the substantial reward is inadequate to the risque of every other good.

My dear Miss Stedman is very obliging to be grateful for a remembrance that yields so great a Pleasure in the Exercise. I was really elated during the reading of several Lines of your Letter, but alass! the Mountain brought forth a Mouse without a Metaphor.

Mrs. Jackson made me promise to make her acknowledgments for your politeness in remembering her slight civility to you when in Brunswick.

I must beg an Excuse for this scrawl, as I write with two or three Ladies chatting in the Room.

Mrs. Boudinot & Susan wish most earnestly to be considered as attached to the friendly Circle at the Park, and present their best wishes for every real happiness to attend them.

I am my dear Madam with the greatest respect & Sincerity.
Yours most Affectly Elias Boudinot.

MS not found; reprinted from *PMHB* 39 (July 1915): 311–12.

[1] Mrs. Ferguson had been struggling to save her estate, Graeme Park, which she had inherited from her father, Dr. Thomas Graeme, since the proscription of her husband, Henry Hugh Ferguson, for cooperating with the enemy during the British occupation of Philadelphia. See Simon Gratz, "Some Material for a Biography of Mrs. Elizabeth Fergusson, nee Graeme," *PMHB* 39 (July 1915): 257–321, 385–409; John J. Loeper, *Elizabeth Graeme Ferguson of Graeme Park* (Hatboro, Pa.: Hatborough Historical Society, 1974); and these *Letters*, 8:473, 11:264–65.

Elias Boudinot to Lewis Pintard

Mr dear Sir, Philadelphia March 5t. 1782

Am much obliged to you for the returns enclosed in yours by the Post. Am much pleased with my negroes having got well over the *Pox*. By some late resolutions of Congress the Superintendant of Finnance is to appoint a Commissioner for settling the Accts of each State to the last Day of Decr. 1781.

This being a temporary Business perhaps of but one or two Years standing with a Salary of 1500 Doll. per Annum & liberty of appointing a Clerk with a Salery of 500 Doll per Ann and which may be executed at home–I have recommended you as one, by which you can also provide for Johnny till the war may be over.

You will hear farther from Mr Morris on this Subject e'er long.[1]

No News tho' we have the Papers from N York up to the 27th Ultimo.

We are all well & desire Love &c. I sent the Key by Mr Dennis. Do desire Mr Remsen if he is at home, to put a stop to the Service of the Notice of Tryal Dennis agt. Southard as I am told the Deft. is dead—let him also write to the Sheriff not to summon the Jury.

Am my Dr Sir, Yours Affectly, E B

[*P.S.*] Johnson has this Moment returned from Mr Morris, who has no Cauliflower Seed. I am afraid there is none in Town. I wish Josey to carry some good Dung into the Garden and be carefull of the Meadows & Grass Ground. I am suprized that there was but three Tons of Hay in the Barn as I think at least five were put in.

RC (PHi: Boudinot Papers).

[1] Lewis Pintard was nominated by Robert Morris and was subsequently appointed by the New Jersey legislature as commissioner for settling New Jersey's Continental accounts. See Morris, *Papers* (Ferguson), 4:349n.4, 5:144, 168–69, 347

John Hanson to Philip Thomas

Dear Doct. Philadelphia March 5th. 1782

By yesterdays post I received your two Letters of the 17th and 24th Ult. I have wrote you by allmost every post since you left us, and by the last for want of a better Opportunity I inclosed you Doctrs. Bond, Morgan and Jones's Oppinions. I thank God you have now no Occasion of their Advice—but Still wish they may Come to hand, as they may at least afford you some Amusement when alone in your little 10 feet Room. It is a little unlucky that Ned went off again before you received my letter perhaps if he had Known that I had Consented to Sell him it might have prevented it—however I am in hopes he is gone down to H Hansons, as Hoskins inclined to purchase And Ned Chuses him for a master rather myself. I think he is worth 200£ hard, the price I think I mentioned in my last letter. He would Clear himself if properly managed in two or three years. I would take £50 down, £50 at the end of one year, And 100 at the Expiration of another year—however sell him on the best terms you Can. I never will be plagued with a runaway negroe. Your mother is Still unwell. She has taken some medecine from the old Walnut Tree, and has rode out every day since Fryday last. Exercise

I think will be more service to her than Anything Else, and which Shall be duely attended to. We are glad to be informed that your family are well, particularly little Becky and John, who I pray god will Continue So. I long to see them, but must be deprived of that pleasure for Some time yet. I have thoughts of repairing the old Pheaton but Cant get it done Compleatly under 47.10. The Coach maker Says it would not Sell in its present State for more than 30 or £35. I believe I shall put it into his hands to repair. You will let me Know if any money Can be raised from my wheat & Corn. In my last I mentioned that I thought it probable the Contractor might purchase and that I would take an order on the Financier here for the money. I have sent A by the post Bank notes for fifty pounds, And Shall soon be in want of money. Dulany has once Called on me. I did not See him, but suppose he will shortly Call again. I think I was not to pay till some time in the Spring. Your mother returns you thanks for the attention you pay to her, your letters give her much pleasure and Satisfaction and She hopes for a Continuation of your favours in that way. She joins with me in prayer, for a Speedy and perfect recovery of your health and Spirits, And that we may once more happily enjoy the Company of each other in our little habitation in Frederick. Our Compliments to all friends, Yours very Affectionately, J H.

[*P.S.*] No Certain Accounts of the late engagement between the French and British Fleets off St. Kitts, last week a Vessel from St Thomass in 11 days, got up as high as Reedy Island but was there taken by a Rufugee Boat from N York, the men were all put on shore two of the sailors are here they say that the day before they left St Thomas a Vessel arrived from St Kitts and gave an Account, that the British had three Ships Sunk and the French one. And that Brimstone Hill had surrendered—but little Credit is given to this Intelligence. Perhaps Ned would Sell well at Baltimore if he was Known to be so good a tradesman.

RC (MdHi: Hanson Letters).

New York Delegates to George Clinton

Sir, Philadelphia, March 5th. 1782.

On Thursday the 14th last, Congress proceeded to a consideration of the Report of their Committee on the subject of the New Hampshire Grants, a copy whereof we have the honor to enclose you,[1] and for the purpose of shortening the debate they agreed to take up first in order the second resolution. Because the others evidently depended on it, and would necessarily in a great measure become nugatory, should that be negatived; it was debated till the adjournment of that day without putting the question, and resumed and debated again on Thursday last, and on the day following on a motion made by one of us, seconded by the other, for striking out the Resolution the question was put, shall the clause stand? On this question the yeas and nays were called for, and the State of them was as follows: to wit, New Hampshire unrepresented, Mr. Livermore for that State, No. Connecticut divided, not on principles agt. the independency held up by the clause, but because Mr. Wolcott, one of the Members wished, for obvious reasons, that the limits of the New Hampshire Grants should be undefined. Massachusetts, Rhode Island, New Jersey, Pennsylvania (except Col. Atlee), Delaware and Maryland, Ay. The rest of the States—No. So that even had seven States been sufficient to carry the question in the Affirmative, the clause was necessarily lost. A motion was then made (with a view to substitute something in lieu of the rejected clause) for recommitting the residue of the report and on the yeas and nays being called for, the motion was lost. So that the Report stripped of its principal resolution yet lies before Congress; and will not we suppose be moved on again except by us, who intend shortly to prepare another set of resolutions for the introduction of which we must necessarily move for postponing the rest of the Report. The States who were with us in negativing the clause are strongly against declaring the independency of the Grants either on supposition of the want of authority in Congress so to declare them, on principles of political expedience, or because they conceive that the admission of the Grants as an Independent State into the federal Union would be prejudicial to the United States. What alteration may happen in the sentiments of those States from a change of members we cannot say. But to guard against such an event we shall endeavor to bring Congress to some final determination on this momentous subject as speedily as possible.[2] In the transactions above related Congress have fully evinced their Settled departure from the ground of submission established by their Resolutions of the 24th September, 1779, which exclude the interested States from voting. For upon no other principle could they have admitted New Hampshire and New York to a vote.

The Secretary for Foreign Affairs yesterday read to us a passage in a letter from a correspondent at Boston which positively asserts that General Sullivan had marched with 1000 men to reduce to obedience to their government the revolters on the East side of Connecticut River.[3] It were to be wished we could do the like on our part; and also fully inform the inhabitants of that territory of the secret overtures of Ira Allen and a few others to subject it to the Crown of Great Britain. This Allen confessed before the Committee of Congress in terms nearly in substance similar to the copy you did us the honor to enclose to us; which, together with such parts of your letter as were proper to be made public we read in Congress; but he added to his confession that the overtures were only intended to prevent an expected inroad from Canada into their country.

Our most sanguine views will not flatter us with a hope that Congress can possibly be brought to any thing more than to give an express guarantee to us up to the 20 mile line and to New Hampshire to Connecticut River, and perhaps to support that guarantee by the arms of these United States. But this is doubtful. In this view it is evident that some State measure must be taken to secure the interjacent country. What we propose is, that the line of partition between us and New Hampshire, held up by one of the Resolutions in the Report, be settled by concurrent Acts of the two States. We are the more anxious for this measure, because as it will take nothing from us as a State which in point of soil or jurisdiction is worth our possessing, so it will add vastly in both to New Hampshire, and probably induce them to make common cause with us in reducing the revolters to obedience by arms. This measure we conceive may without breach of faith be adopted by the two States, as it is evident that Congress will not determine the controversy on the ground of submission held up by this aforesaid Resolution, and confirmed by the Acts of the two States. Be assured, Sir, that we shall be unwearied in our endeavors on this and every other subject to promote the interest of the State we have the honor to represent, and that we are, with the greatest respect your Excellency's most obedient humble servants,

Jno. Morin Scott.

Wm. Floyd.

Tr (MH–H: Sparks Collection).

[1] See Samuel Livermore to Meshech Weare, February 19, 1782, note 2.

[2] See New York Delegates to Clinton, March 12 and 15, 1782.

[3] Although the New Hampshire legislature had authorized the raising of two regiments commanded by John Sullivan "to be sent to the western part of the State" to subdue those border towns attempting to join Vermont, the governor did not call the force into service because the legislature subsequently voted to pardon those residents who had previously revolted. See *N. H. State Papers*, 10:476–78; and Charles P. Whittemore, *A General of the Revolution: John Sullivan of New Hampshire* (New York: Columbia University Press, 1961), p. 184.

John Morin Scott to Richard Varick

Philadelphia, March 5th, 1782.

Dear Varick,

The Secretary for foreign Affairs has on Leave, determined to go home for a few weeks. This Leave he obtained in a Letter to Congress, assigning three Reasons for his request, to wit, the sitting of the Legislature, the Business of the Court of Chancery, and the necessity of attending to his own private affairs.[1] On reading the Letter, many Members expressed their disapprobation of the 1st & 2d Reasons declaring that in their Opinions his Acceptance of his appointment under Congress had determined his Office as Chancellor. Unluckily I was balloted in as one of the Committee on the Letter, & being first in the order of Choice, was of course Chairman. Thus placed in a delicate situation, I determined to act frankly & candidly with Mr. Livingston. I accordingly at a private Interview with him on the subject, acquainted him with my Opinion as well as that of many of the other Members, upon which he requested that our report might be so framed as to pass over his 1st & 2d Reason unnoticed. This was accordingly done.[2]

I expect that on his Arrival at Poghkeepsie he will make a formal Resignation of the Chancellorship.[3] If he should not, the Council of Appointment may perhaps conceive the office already vacant, and proceed to a new appointment.

Tho' I have too much spirit to beg for an office; yet that same spirit will ever be mortified when I am slighted in the disposition of an office. I am the eldest in the profession; and yet the Office of Chancellor was heretofore given to another. I hope that in the next disposal of it, I shall not be treated with the same affrontive neglect. Should it be offered to Me, I should have no Objection to accept of it; provided the Secretaryship could be secured to my son. This provision for both would in my humble Opinion be no more than an Act of Justice to one who has done and suffered so much in the Cause as I have.

I am, With great sincerity and affection, Dear Varick, Your friend and humble Servant, Jno. Morin Scott.

P.S. Be pleased to communicate this Letter to the Govr.[4] It is reported this Moment as from the Minister of France that the Enemy were preparing to evacuate the S. States.

MS not found; reprinted from the *Historical Magazine*, 2nd ser., 3 (January 1868): 21.

[1] Robert R. Livingston, secretary for foreign affairs, had requested a "few weeks" leave of absence in a February 27 letter to President Hanson. PCC, item 79, 2:95–96.

[2] See *JCC*, 22:114–15.

[3] Livingston refused to resign as chancellor of New York, however, and instead submitted his resignation as secretary for foreign affairs in December because of the press of chancery business. George Dangerfield, *Chancellor Robert R. Livingston of New York, 1746–1813* (New York: Harcourt, Brace and Company, 1960), pp. 177, 477n.28.

[4] Although Scott's March 5 letter to Governor Clinton was destroyed in the New York State Archives fire of 1911, the following brief extract was published in Burnett, *Letters*, 6:311n.3: "I count myself happy, that I arrived here so opportunely as I did; as the Consideration of the Report, a Copy of which is inclosed in our official Letter came on next day."

Virginia Delegates to Benjamin Harrison

Phila. Mar. 5th. 1782

Sr,

This week's post has brot. us no Letter from your Excellency.

Mr. Ross has directed Mr. Whiteside a mercht. of this City to pay us £200 each, which will enable those of us who have been sometime here to discharge our outstanding balances but will leave a small sum only for future occasions.

We impatiently expect a confirmation of the very interesting intelligence received from the Wt. Indies respecting the entire reduction of the Island of St. Christophers by the Forces of his most Christian Majesty and advantage gained by the Fleet of the Ct. de Grasse over that of Sr. Saml. Hood. This last circumstance, if true, will give the Count so decided a superiority, that it is probable other Islands of the Enemy will soon share the fate of St. Christophers.

The Chevr. de la Luzerne will we expect, in a few days set out for Virginia on a visit to Ct. Rochambeau, you will probably see him at Richmond.[1] Very respectfully, we are Yr. Excellency's obed Servts.

James Madison Jr. Arthur Lee

Edm. Randolph Jos. Jones

RC (Vi: Continental Congress Papers). Written by Jones and signed by Jones, Lee, Madison, and Randolph.

[1] La Luzerne informed Congress on March 8 of his imminent departure and placed French affairs in Philadelphia in the hands of the marquis de Barbé-Marbois. PCC, item 95, 2:90. During his five-week journey, from which he returned by April 13, the French minister conferred with Rochambeau in Williamsburg in hopes of persuading him to come to Philadelphia to discuss military affairs with Washington, but La Luzerne did not visit Harrison in Richmond despite his intention to rouse Virginia officials to more vigorous support of the war effort. See Wharton, *Diplomatic Correspondence*, 5:302–3; Madison, *Papers* (Hutchinson), 4:146, 207; and William F. O'Donnell, *The Chevalier De La Luzerne, French Minister to the United States, 1779–1784* (Bruges: Desclée de Brouwer, 1938), p. 202.

Charles Thomson to Thomas Jefferson

Philadelphia March 9. 1782

Dear Sir,

I received the letter which you did me the honor to write on the 20 of December last, and immediately waited on Mr Marbois who informs me that he has not received the Answers you refer to.[1]

I am ashamed to acknowledge that I am as ignorant as you declare yourself to be of the particular duties of a counsellor of the American philosophical society, although I have been honored with that appointment.

With regard to the institution of the society I can inform you that it has for its object the improvement of useful knowledge more particularly what relates to this new world. It comprehends the whole circle of arts, science and discoveries especially in the natural world & therefore I am persuaded your answers to Mr Marbois queries will be an acceptable present.

This country opens to the philosophic view an extensive, rich and unexplored field. It abounds in roots, plants, trees and minerals, to the virtues and uses of which we are yet strangers. What the soil is capable of producing can only be guessed at and known by experiment. Reasoning from Analogy we may suppose that all the rich productions of Asia may in time be transplanted hither. Agriculture is in its infancy. The human mind seems just awakening from a long stupor of many ages to the discovery of useful Arts and inventions. Our governments are yet unformed and capable of great improvements in police, finance and commerce. The history, manners and customs of the Aborigines are but little known. These and a thousand other subjects which will readily suggest themselves, open an inexhaustible mine to men of a contemplative and philosophical turn. And therefore though I regret your retiring from the busy anxious scenes of politics, yet I congratulate posterity on the Advantages they may derive from your philosophical researches.

I am with sincere esteem and Affection, Your Most obedient and Most humble Servt., Chas Thomson

RC (DLC: Jefferson Papers).

[1] For Jefferson's December 20 letter to Thomson, and one of the same date to the marquis de Barbé-Marbois enclosing "the Answers you refer to," which became the basis for his classic *Notes on the State of Virginia*, see Jefferson, *Papers*, (Boyd), 4:166–67; 6:141–43.

John Hanson to George Clinton

Sir, Philadelphia. 11th March 1782.

I have the honor to inclose your Excellency a copy of an Act of Congress of the present instant, referring to the Legislature of the State of New-York, a petition from the River or Stockbridge Indians, presented to them by their Agent Asa Douglass, and recommending that the Petitioners be heard, and that Justice be done, on the subject of their petition.[1]

It is, I presume, unnecessary for me to urge any thing upon this subject. The reasonableness and propriety of the application will, no doubt, be investigated in a fair and impartial manner and decided upon accordingly.

I have the honor to be, with great respect, Sir, Your Excellency's Obedient & very humb. Servt. John Hanson Presidt

RC (N: Miscellaneous Manuscripts). In a clerical hand and signed by Hanson.

[1] For the congressional response to the Stockbridge Indians' February 28 petition, "representing that they are defrauded of their lands and praying for redress," see *JCC*, 22:120, 127; and PCC, item 30, fols. 355–56, item 32, fols. 327–28. Although Congress apparently did not retain a copy of this petition, a follow-up memorial of March 25, signed by six "Chiefs of the River Tribes" and endorsed by Charles Thomson "Read April 1782. To lie," is in PCC, item 41, 4:435–38.

John Hanson to John Hall

My Dear sir. Philadelphia March 11th. 1782.

I hope you will Excuse my not writing by the last post and that you will impute it to no other Cause than that of the want of time, which was realy the Case. I received yours of the 22d ult.—for which I am obliged to you. We are Anxiously waiting for the particulars of the Engagement said to have been between the French and British fleets, in the West Indias. Various are the reports respecting that matter, but none to be depended on; about ten days ago, we were Amused with an account, given by two Sailors, who Came out in a Vessel from St Thomas's, and had only Eleven days passage, this Vessel belonged to this place, And was taken off Egg harbour, by a Refugee Boat from N York, and the men all put on Shore. The above two, Came to Philadelphia, and reported that the day before they left St. Thomas's, two Vessells Arrived from St. Kitts, and brought an account that the two fleets had had an Engagement, that the British had 3 74s Sunk, and the French one, And that Brimstone Hill had Surrendered. There has been no Arrivals here, for upwards of three weeks, nor to the Eastward that we Know of. There is not the least probabillity of truth, in the Account Extracted from Rivingtons paper, respecting that Engagement. I have seen the N. York paper of the 4th Instant, which is entirely Silent on that Head, which is a proof, that they have no particular Account of the Engagement; or that the Issue has been unfavourable to them. Intelligence from the southward, and which I think may be relyed on—is that General Green had got Possession of the Enemys post at the Quarter House, which is within five miles of Charles Town, And Cuts of the Communication between the Town and Country. That in Consequence of a Detachment from Gen. Greens Army, sent into Georgia, the Enemy had Called in all their outposts, in that state, to Savannah; so that they have now, only that post left in Georgia, and Charles Town in South Carolina, neither of which it is to be hoped will Continue long in their possession, if the French proves Successful in the West Indies. The assembly of this State are now Sitting, and have unanimously passed their Supply Bill for raising the Quota of money required by Congress, the whole to be paid in hard money, or Bank Notes.[1] This Exertion is the more pleasing, as it is to be feared, most of the other states will be greatly deficient. If it was Expected by our assembly, that the Financier would take off our Specific Articles, I am afraid they will be disapp[ointe]d. He will it is more likely require, that the money should be paid in to the Treasury, in order to discourage Taxes being received in specific Articles in future. I wish the Assembly may meet Agreeable to your expectation—there Can be no objection to receiveing Bank Notes in discharge of Taxes, as these notes will be received equal with gold & silver in the Continental Treasury; indeed it seems to be the wish of the Financier, that these notes should be paid in to the Treasury, in preference to hard money, as he has orderd his receivers to purchase up Bank notes with gold or silver, as fast as they receive it. This Seems to be an Excellent plan, and Cant fail of giving most Effectual Credit to the Bank—for if a man Can, within his own State, at any time, Exchange a Bank note, for hard money, he Can have no good reason, for refusing Bank Notes, for anything he may have to Sell, or in discharge of Any debt that may be due to him—And it ought to be the Business of every State, to encourage the Circulation of those notes as much as possible; for that state which possesses the largest sum in Bank notes, will be in the least danger, of haveing the hard money Carried out of the state, to discharge their Debt, with the Continental Treasury.

I have inclosed the papers And wishing you health and happiness, Am, My Dear sir with perfect Esteem, Your most humble Servt.

John Hanson

RC (MdHi: Gilmor Collection).

[1] Hanson's informant had misled him, for the Pennsylvania Supply Bill was not adopted until March 27, and despite the lobbying efforts of Robert Morris the act, as finally passed, required payment of taxes in gold and silver and not bank notes. See Morris, *Papers* (Ferguson), 4:227–31, 337–38, especially 231n.8; and *Minutes of the . . . General Assembly . . . of Pennsylvania* (2d session, Sixth Assembly), pp. 564–604 passim, DLC(ESR).

Elias Boudinot's
Draft Circular Letter to the States

Gentn. [ante March 12, 1782][1]

It is now more than   Years since the Citizens of these united States have committed the direction and superintendance of their political Interests to Congress. The burthen of this important charge can only be concieved of, by comparing the extreme weakness & destitute Situation of these States, with the established Power & ample resources of the Enemy, with whom we had to Contend. The means in our power, were no ways adequate to the Magnitude of the Object in View. Happy indeed was it for the Citizens of America, that this Object in its full Extent did not open at once to their sight, but gradually increased as the dawning Light. It is not a matter of Surprise that amidst a variety of complicated difficulties pressing with equal force on every hand, that the Act of Confederation, uniting so many States of various Characters, Interests & Opinions, should not provide for every possible Circumstance that might attend the Body politick, as it increased into national importance or advanced towards the conclusion of a successful War. By this Means, your Affairs have been at times embarrassed and the measures necessary for the common defence greatly clogged & delayed.

It has become the duty of Congress frequently to apply to the several States in their individual Capacity, for those Powers & Aids which were indispensable in the great work of our Independance. The present period loudly calls on Congress to a repetition of this Duty. From a concurrence of Circumstances, it is the most critical and important, that has yet happened to these States. Congress concieving that your essential Interests if not your political existence are intimately blended with the Events of the ensuing Campaign, and fearing lest Languor & want of decision in the several States as to the preparations necessary for ensuring them to be successfull, may prove destructive to your happiness, *Congress think*[2] it their indispensable duty to rouse your attention to a consideration of the present moment founded on the reflection of past Events.

When the peaceable Citizens of these States, were reduced to the necessity of uniting in their common defence, they had neither Arms, Ammunition or Money for the purposes of war. The same necessity forced Congress to the dangerous Expedient of using Paper Credit, as the only possible Mean of supporting the arduous Contest. The Consequences of an undue tho necessary Increase of this paper Medium, have been too severely felt, to need a further Explanation. Congress in order to prevent those fatal Effects made many timely Efforts to call your attention to this important Object. After many earnest Applications on the Subject of the public Exigencies, On the 18th Apl. last Congress transmitted to the Legislature of the several States, an Estimate of the Expences for the current Year, and the supplies on which they relied for defraying those Expences. As the distresses of the Army for want of provisions, and their uneasiness & disatisfaction for want of pay, were then great & notorious, so also the clamours of public Creditors grew louder & louder; it was therefore judged necessary to state the Measures which Congress had before pursued and the many Steps they had taken to support the war, to provide for the public Exigencies, and to guard against the Dangers & embarrassments with which they were then threatened, for want of timely supplies of Men & Money. To this Statement Congress beg leave again to refer. The recapitulation of past Transactions, so well known to the Legislature of every State, it was hoped would not only convince them of the faithful & strenuous Endeavours of Congress to maintain the Comon Cause, by providing for the present defence and guarding against future ills, by calling on the States for Aid & support but would also awaken them to a Sense of the public danger and engage them to a more liberal & punctual Compliance with the requisitions then made, as the only means of saving our Country from impending Calamity. It gives us pain to observe that our hopes and expectations have been again disappointed, and that by the backwardness & dilatoriness of the States to grant the necessary Supplies, the well laid plans of our General have been disconcerted and the designs of Congress to give ample relief to the public Creditors have been again frustrated. It is necessary to observe that the Operations of War do not admit of delay. There are times & Seasons which must be watched and which if suffered to pass unimproved, cannot be again recalled—that secrecy in planning & vigor in executing are the only means of ensuring Success. We may now inform you, that relying on the States for their quotas of Men & Money called for, measures were concerted for the attack of New York. The States were pressed in the most earnest manner, to have their Troops ready in the Field, and to furnish the necessary supplies of Money to carry on the Operations. The Moment for Action arrived, but the General found his Ranks so thin, and even the small Force he had collected so ill supplied, that it became imprudent to proceed, by which a very large Expence in preparation was accrued in vain. Had it not been for the aid of Money granted by our generous Ally—for the providential arrival of his Fleet in the Chesapeak and almost a miraculous coincidence of fortunate Circumstances, which by the blessing of God, were happily improved, our public Affairs must now have been in the most distressing Circumstances. This inattention in the States has almost endangered our very existence as a People, and indeed it is to the overruling providence of the great Governor of the Universe, that we must ascribe our political Salvation at this Day, amidst so many Tryals, difficulties & distresses as have been struggled with in this complicated & bloody War with one of the first Powers in the Universe. It is true that the most brilliant Successes have attended our Arms & those of our illustrious ally, the last Campaign. We are now providentially in a Situation, from which we may hope for the most happy termination of the War, if not wanting in our own Exertions and in timely drawing forth those resources which are within our Power. Our Work is but fairly begun, and the special & peculiar Circumstance of the present Moment, requiring the most vigorous preparations for an Early Campaign, would render our silence criminal did we not urge you on this Occasion to activity & decision.

It is our duty to cry aloud, well knowing that if we loose the present golden Opportunity, such another may never return. And we mean by this address not only to rouse you to Action, but to justify ourselves to our Constituents, to the World and our own Consciences. Experience has fully evinced that the Enemy are bent upon our destruction or Subjugation; and from their pride, Obstinacy & Malice it is very apparent that the War will be of much longer continuance than was at first apprehended, and must therefore be conducted not by temporary expedients or desultory Measures, but by a regular & systematic plan. This could only be affected by restoring public Credit—by checking Waste—& introducing Œconomy in the public Expenditures; Congress therefore judged it necessary to intrust the Management of the Finances of these States and what related to the preparations for War, in the hands of single Persons in whose Judgment, fidelity & Abilities, (under the Controul of Congress) they could with the greatest Confidence rely. The Benefit resulting from their Arrangements are already very conspicuous. But with the most œconomical Savings without the Aid & vigorous Support of the individual States it is impossible finally to succeed. The Situation of one of these departments, makes it especially necessary that many circumstances relative to it, should be known & attended to by the Several States in the Union, and as this cannot be done better than by Extracts from the Superintendant of Finance his Letter to Congress of the 9th of Feby instant, we shall refer you to his own Words. "It gives me pain &c"[3] Print Letter.

Thus we have endeavoured to give your State the fullest Ideas of our present Circumstances, and do conclude with intreating a speedy & strict attention to this important Business. The requisitions of the Current Year both as to Men & Money punctually complied with can only give us hopes of Success in this all important Campaign—will satisfy the public Creditor—silence the Clamors of the Soldiery—add Vigor, discipline & Decision to the Army, and finally Crown your long and laborious Struggle with an honorable & lasting Peace.

MS (NN: United States Congress Collection). In the hand of Elias Boudinot, and endorsed by him: "Rough Draught of Circular Letter to the States to be foundation for one to be reported by Committee—March 1782. Committee—Cornell, Carroll, Boudinot, Osgood, Middleton."

[1] Boudinot drafted this letter as a member of a committee appointed on February 11 in response to a letter from Robert Morris "respecting delinquency of the states in granting the duty of 5 per cent & raising their quotas of troops & Money." The committee eventually submitted a draft letter to Congress, in the hand of Daniel Carroll, on March 12, which was recommitted on March 15 to a second committee consisting of William Ellery, Nicholas Eveleigh, and Arthur Lee, but their work was also rejected on March 26 and the matter was allowed to die. See *JCC*, 22:132–36; PCC, item 24, fols. 327–34, item 186, fol. 12; and Morris, *Papers* (Ferguson), 4:213–14n.16.

[2] Boudinot wrote "find" over "think," but let both words stand.
[3] There is no February 9 letter from Superintendent Morris to Congress, but for the extract from his circular letter to the states of this date beginning "It gives me great Pain," see Morris, *Papers* (Ferguson), 4:196.

Elias Boudinot to Lewis Pintard

My dear Sir, Philadelphia March 12th. 1782.

Am much obliged by the Papers sent—they were just right and am glad you kept back the money. As to the appointment I mentioned to you,[1] it is for the purpose of settling and adjusting the Accts. of the department for which it is made up to the last day of Decr. 1781 & no farther. I can't imagine it can take above two Years at most, and there is little or no Prospect of Peace in that Time. The Evacuation of Charles Town appears probable, in order to bring all the Force to New York. I hope to see you the first week in Aprill, as I shall set off the first day of that Month. I must beg the Favour of you to put in some of the comon Seeds for me—such as Sallad—Cabbage &c &c. Will you be so good as to mention to Mr. Morton that I recd. the Papers he sent me, but that nothing can be done, without the Soldiers discharge which was not sent. There is no news but a few successful Skirmishes both from Genl. Green's Army and Genl Heaths. The British are closely hemmed in at Charles Town & Savanna. Their Troops have been on Johns Island, in the Harbour of Charles Town. Every Thing from Europe looks like a vigorous Campaign. If Rivington is right abt. the affair of Kempenfelt, I think Count De Guichen will come off by the Lee.

Patty has been here this Morning & is very hearty—Her Aunt had done every thing necessary about her Affairs some time ago. Will you be so good as to direct Josey to have the Orchard trimmed—and to get half a Doz. or a Doz. Peach Trees from Mr. Rickey's & set them out about the Hog Yard & stake them well—Also a few English Cherry Trees & set them down the lane inside the Fence.

Mrs. B & Susan join me in love to Mrs P. & Johnny, remember us to Molly & the Servants.

I do not know but Mrs. B. will write to Mrs. Hetfield if she can get time, but that is matter of doubt. Give our Love to her & the Children. Shall be very glad to hear of Mr Southard's recovery from the small Pox.

Am my Dr Sir, Yours very Afftly, E B

[*P.S.*] Susans best Admirer informs her that there is an Instrumt maker in Town at your Service.

RC (PHi: Boudinot Papers).

[1] See Boudinot to Pintard, March 5, 1782, note.

John Hanson to Thomas Sim Lee

My Dear sir, Philadelphia March 12h 1782

The post Came in late last night, and I have Scarce time to Acknowledge Your Excellencys favour of the 5th.[1] If it is meant, that the Delegates in Congress are to receive the 35/ allowance in red money, it will be prudent in us to decamp in time, for that money will be of no more use to us here than so much wast paper.[2] I thank your Excellency for your kind offer in procureing my ballance in red money. Will have the honor to write you more fully by the next post. Mr Worthingtons Phaeton will be finished in about three weeks. Price 160£.

No Arrivals here in three weeks past, nor Any to the Eastward that we Know of. We are Extreamly Anxious about the Issue of the Engagement, Said to have been between the French and British fleets in the West Indies, and the fate of St Kitts which depends upon it. No particulars respecting that matter. The Account Extracted from Rivingtons paper is altogether false. I have Seen a New York paper of the 4th—nothing particular in it. They have Certainly no Account in New York of the matter, or if they have the Event has been unfavourable to them, or the Account would have been printed. General Green is in possession of the Enemys post at the Quarter Princeton House, which is within five Miles of Charles Town and a detachment haveing been Sent into Georgia the Enemy have drawn in all their outposts to Savannah.[3]

I have the honor to be with perfect Esteem & regard, Your Excellencys most obedient servt, John Hanson

[*P.S.*] The French Minister Sent off from hence Saturday last for Williamsburgh. He goes down on the East-shore and intends to spend Some time at Annapolis on his return.

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] Not found, although another letter of March 5th from the Maryland Council to the state's delegates in Congress is in *Md. Archives*, 48:92.

[2] For Maryland's disappointing experiment with a special emission of "red money," see Hanson to Philip Thomas, January 29, 1782, note 2.

[3] Hanson also repeated this intelligence in a brief personal letter of this date to his son-in-law, Philip Thomas. Hanson Letters, MdHi.

Samuel Livermore to John Sullivan

Dear sir, Philadelphia 12th March 1782

You may perhaps wonder at my long silence on the subject of Steins's note. I never could get a farthing: so I gave him my horses to keep & recoverd your debt by that means. I settled with him the

10th instant. The note was 19.10.0 Phila.
Your horsekeepg. 4.10.0
ball. due to you 15. 0.0 which is
forty dollars. I will give you a bill on the treasury for that sum or the Cash on my return.

A rumour is here that Vermont have agreed to the Resolutions of Augt. if so I suppose there will be no fighting abt. it. I have the hig[h]est hopes of being home in May. Compts. to all friends.

I have the honr. to be your most Obedt. servt.

Sam Livermore

RC (MHi: Sullivan Papers).

Samuel Livermore to Meshech Weare

Dear Sir Philadelphia 12th March 1782

I am honourd with yours of the 23d ulto. which I shall immediately lay before Congress.

I am sorry the subject had not been divided, so as to bring into view, first the quota of eight million: and afterwards redress for five million old Continental, that died in your hands. However I shall do the best I can with it.[1] As to Vermont, a rumour prevails here, that they have agreed to comply with the Resolutions of Augt., that is, to relinquish their late encroachments, &ca: if this be true, the hurly burly is done.[2] The papers they laid before Congress were chiefly copies of such things as they had formerly laid before the Assembly of Newhampshire, with a pretty long memorial of theirs, drawn up in their usual style. I should have sent you copies, if they had appeard interesting: but I will revise, & if any thing appears new, you shall have it. As to the sense of Congress, it appears to me, that N York, Virginia, N & S Carolina & Georgia are against receiving Vermont into Confederation, or allowing independence. Massa., Rd. Island, Cont., N Jersy, Pensa. & Deleware & Marild. favr. them. So you see 7 for it 5 against it. But it requires the assent of Nine states, by articles of Confederation. Some of the states may change their delegates, or delegates may change their minds. My own private opinion would be (seeing the matter is brought to what it is) to give them independence, & receive them into confederation, if that would end our troubles upon the subject, which I suppose it would; but I shall never vote for it without instructions from the state (as I think myself bound by instructions to the contrary). Perhaps the case may be much the same wth. the delegates of N.Y: but this I cant affirm. Genl Scot & Col Floyd are gent of candour, & discernment; but they are governed by instructions. If nothing else will do let N H

& N Y by acts of legislature appoint commissioners to Settle the boundarys (at the heighth of land). This proposal comes from the delegates of N Y. If N H must go to war they may as well claim to the heighth of land as to the river & perhaps as easily conquer one as the other.

If Mr. Langdon shd. decline which I shd. be sorry for, I wish the other delegates may be sent to relieve me by first of May or sooner.[3] I have the honr. to be Your most obedt. Servant,

Saml Livermore

RC (Nh–Ar: Weare Papers).

[1] Weare's February 23 letter calling for financial relief from Continental obligations was read in Congress on March 13 and debated on April 1 and May 22. Congress refused to reduce New Hampshire's fiscal quota and referred the issue of the disposition of the "surplus" $5 million in old emission bills to Robert Morris. See *JCC*, 22:128n.2, 158–61, 290; PCC, item 64, fols. 218–21; and *N. H. State Papers*, 10:578–81. See also Livermore to Weare, March 19, 26, April 16 (1st) and 22, 1782.

[2] The Vermont Assembly had adopted resolutions on February 20 and 23 accepting boundaries proposed by Congress in August 1781, and "relinquishing all claim to, and jurisdiction of, and over" territory outside those limits which Congress had pledged to guarantee to New Hampshire and New York. Walton, *Records of Vermont*, 2:379–84.

[3] Woodbury Langdon had been reelected with Livermore in December 1781, but never returned to Congress after 1779.

Samuel Livermore to Meshech Weare

Dear Sir Private Philadelphia 12th March 1782.

Your favour of the 30th Octo. demands my particular and gratefull acknowledgement. I am sorry for the causes that you alledge have impelled you to a determination of resigning your place of Chief Justice.[1] And at the same time must beg leave to suggest, at least as important, a reason for your resignation, which would give your friends pleasure instead of pain: I mean the new arrangement of officers in the state, which will doubtless soon take place, wherein the place to be assigned to you will doubtless be incompatible with the office of CJ. Your wishing me to be at home when the court is filled up, intimates a farther wish in my favour, which, knowing your candour, it wd. be impossible for me to mistake. I ought to have answerd your letter sooner; but have been prevented meerly by expectations of communicating orally what could not be quite so well communicated by letter.

I must now proceed to a subject which nothing but your candour and friendship wd. induce me to trouble you with. A court of appeals has been instituted by Congress, to hear all appeals from the maritime Courts, in cases of capture: to consist of three judges, any two to make a quorum: To sit once a year, in an eastern, middle,

& southern district. Two judges have been appointed and have acted. Another judge is wanted. In the begining of Jany. I was in nomination & had the vote of six states: but Rd Island was against me: so I missed the election, as nothing is valid without seven states. There were then but seven states represented. The affair being brought on next day an objection was started, that no member of Congress could be appointed, according to articles of Confederation. The election was then put off for my time in congress to expire (the 18th Jan). My reappointment frustrated this plan. No Judge is yet elected.[2] If I should leave Congress in the spring, perhaps my friends would get me appointed. In that case tis probable I shd. be inclind to accept. But should my friends in NH wish otherwise I wd. drop every thought of this matter. I am not anxious about it. Tis true I might have suppressd my reappointment 'till Congress had come to a choice of a judge: but it seemd to me uncandid, & might disappoint the wishes of the State. Now I should be glad of your free and candid opinion upon the subject, only promising that this new arrangement may throw the authority of the state into such hands as I might be ambitious to serve under or rather amongst: but it may be in such hands as might fill me with contrary sentiments. But I have troubled your patience long enough.

I am Dear Sir, with the highest sentiments of esteem & friendship. Your most obedt humble servant, Samuel Livermore

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RC (MHi: Weare Papers).

[1] Weare not only resigned as chief justice of the New Hampshire Superior Court, but he secured Livermore's appointment as his replacement on June 21, 1782. *N.H. State Papers*, 8:944.

[2] Livermore was not elected a judge of the Court of Appeals when new appointments were made by Congress in December. See *JCC*, 23:765, 797; and Elias Boudinot to John Lowell, December 11, 1782.

Maryland Delegates to Thomas Sim Lee

Sir, Philadelphia March 12th. 1782.

We are this day honored with yours of the 5th Instant inclosing a Copy of yours to the President of the 28th Ulto. the original of which was referred to the Secretary of War.[1]

We are informed by the Assistant[2] that he has informed your Excellency and the Council of what can at present be done. We Shall do everything in our power to obtain what our State requires.

We have the honor to be with great respect, yr. Excellency's Mo. Obt. Servts. John Hanson

Danl. Carroll

Tr (MdAA: Ridgely Transcripts).

[1] For Lee's January 28 letter to Congress, in which he requested "twenty five hundred suits for our Line" and "3000 Stand of Arms," and his March 5 letter to the delegates, see *Md. Archives*, 48:59–60, 92. His letter of January 28 was read and referred to Secretary Benjamin Lincoln on February 11. See PCC, item 185, 3:15, item 186, fol. 12.

[2] That is, assistant secretary at war Matthew Clarkson.

New York Delegates to George Clinton

Dear Sir Philadelphia March 12th. 1782

We were yesterday honored with the Receipt of your Excellency's Letter of the 2d instant by some private hand. It gave us great Pleasure to find not only that the Legislature were disposed to continue firm in the same Spirit which dictated their concurrent resolutions of October last, but that the people at large were greatly incensed at the perfidy of the Leaders of the inhabitants of the Grants, so fully evidenced by their Negociations with the Enemy. Their Conduct in this Instance will we hope leave them without a Friend in the State; and ought to operate as a most cogent Reason with Congress to blow up their Fabric of Independence. We see clearly however that interested and political Motives have such an Influence on a Majority of Congress; that from those Negotiations strong Arguments of political Expedience are drawn in favor of a declaration of their Independence and their Admission into the fœderal Union, as the most effectual Means to prevent such Negotiations in future. Whereas every disinterested person must clearly see that by establishing the Independence of the Grants & admitting them into the Union, the Influence of their wicked Leaders will be rendered permanent, and endanger the Safety of these united States, by admitting so many Serpents into our Bosom to poison our Councils, divulge our Secrets and give an easy Admission to the Enemy into the Heart of the American Empire. Yet however evident the danger, the Majority appear so fixed that nothing but their Inability to increase their Number to nine States, can prevent the Execution of the dangerous plan & the arbitrary dismemberment of our unhappy State.

No New manœouvres have taken place since we had the honor of writing to You officially by Mr Paymaster General Pearse.[1] Before the receipt of your Letter we had information that the Grants had lopped off their Wings; and that agents were on their Way hither, to make the preliminary Relinquishment required by the Resolutions of Augt. last.[2] We shall endeavor to Prevail on Congress to defer taking up the Business on this Ground 'till we shall be further honored with the Instructions of the Legislature which We are determined shall in every Instance be the invariable Rule of our public Conduct. We beg that not a moment may be lost in conveying them to Us; and at the same Time we wish to be furnished with directions whether we are to keep our Seats or Leave them till further Order from the State, in Case an arbitrary Majority should force the detested independence upon Us. Permit Us Sir to assure You & the Legislature that in this and every other Instance we shall devote ourselves to the promotion of the true Interest of our State as it stands connected with the real welfare of those united States; and that We shall be punctual in our official informations on this & every other Subject.

With respect to Colonel Willets affair, the prospect is very discouraging.[3] His restoration to his Rank seems almost impossible on the present Plan of military Arrangements. We have, as You advised, conferred with the Commander in Chief; who while he pays particular Attention to the Colonel's military Merit, seems to be of Opinion that should the Door be opened for his restoration it would be productive of so many similar Applications, which could not be complied With, as would prove injurious to the public by giving great & just Cause of discontent. Of the same opinion is the Assistant Secretary of War; who if we may judge from our Conversation with him, can never be induced to recommend it to Congress to restore the Colonel to his Rank. He gave also the fullest Reason to believe that General Lincoln will be of the same Opinion. However Sir to convince You and Colonel Willet, that we shall leave no Method unessayed to serve him & the State in this Instance We shall apply to the Secretary of War immediately on his Return from Boston, which is hourly expected.[4]

We have the Honor to be, with the greatest respect, Your Excys. most obedt humble servts.

P.S. Mr. Scott begs Leave to remind Your Excellency, that he wishes, if it is the Intention of the Legislature that his Attendance in Congress should be of any considerable duration that the Supply of Cash mentioned in his Letter to You may be specie.

The Concurrent Resolutions of the Senate and Assembly Respecting Colo. Van Schaicks Supercedure was laid before Congress before Mr. Scott arrived But as they Could not be prevailed on to do any thing in his favour at that time,[5] we Intend as Soon as the Secretary at war arrives from Boston to See whether we Cannot get him to Report Something that will do him Justice.[6]

FC (NHi: Duane Papers). In the hand of John Morin Scott and endorsed by him: "Dr. of official Letter to Govr. Clinton 12th Mar. 1782."

[1] See New York Delegates to Clinton, March 5, 1782.

[2] See Samuel Livermore's first letter to Meshech Weare, this date, note 2.

[3] For Col. Marinus Willett's opposition to the reduction of his 5th New York regiment, see these *Letters*, 15:217–18; and James Duane to Willett, April 21, 1781.

[4] For the results of the New York delegates' conference with Secretary Benjamin Lincoln, see New York Delegates to Clinton, March 29, 1782.

[5] For the delegates' efforts to settle the military status of Goose Van Schaick, see New York Delegates to Clinton, September 5, 1781, and March 29, 1782; and William Floyd to Clinton, January 15, 1782.

[6] This paragraph is in the hand of William Floyd.

Virginia Delegates to Benjamin Harrison

Sr. Phila. 12th Mar. 1782

We are honoured with your favors of the 22nd ult. and 1st instant[1] the last covering a resolution of the House of Delegates of the 5th of January last which we had before received and lodged a Copy with the superintendt. of Finance.[2] We cannot at present return a full answer to your request respecting the supply of Beef required from Virga. for the Southern Army.[3] It is probable we shall be able to do it by Mr. Randolph, who will set off in a few days for Virg.[4]

Respectfully we are, sr., yr most hum Sevts. J. Madison

Jos. Jones

RC (Vi: Continental Congress Papers). Written by Jones and signed by Jones and Madison.

[1] Harrison's letter of February 22 has not been found, but for that of March 1, see Madison, *Papers* (Hutchinson), 4:77–79.

[2] According to Robert Morris' diary, Joseph Jones had "lodged a Copy" of the Virginia tax law of January 5 with the superintendent on February 12, for which see Morris, *Papers* (Ferguson), 4:216.

[3] See Virginia Delegates to Harrison, February 15, note 2, and March 19, 1782, note 1.

[4] For Edmund Randolph's departure, see James Madison to Thomas Jefferson, March 18, 1782, note 6.

Arthur Lee to Thomas Jefferson

Dear Sir Philadelphia March 13th, 1782

In your retird situation it will not I hope be disagreable to you to hear what is going on at this place.

You will see in what state our western Country rests in Congress, by the Extract that I shall subjoin.[1] The report has not been taken up because the Enemy think they shall acquire an accession of strength, by their usual arts, and by the admission of Vermont, as a state. On our part, not being strong enough to give it a final dismission, we can only watch their motions, & act on the defensive. I doubt whether Vermont will be admitted. The publication of the names of all the adventurers in these land Companies, woud I conceive greatly lessen their influence by showing that they are interested. Jo[hns]on, Chase & Carroll, who have committed Maryland into a quarrel with Virginia on this subject, are among them. But I shall bring authenticated Copies of them to the next Session of Assembly when I suppose this question will be fully discussd. I hope you will be in the House. My Brother R.H. will be in the House of Delegates, &, I believe, Col. G. Mason. Shoud you see the Attorney,[2] with whom this goes, he will give you a full & satisfactory account of this business, as he has with great diligence & discernment collected & digested all the arguments related to it. My Colleagues seem to me to be as faithful to, & watchful over, the interests of our Country as you can possible wish.

The latest news from France says that the fleet & Convoy destind for the W. Indies, after the british fleet had taken some of the transports, were obligd by a storm to return to port much injurd. The beginning of Feby. they were ready to sail again. Rodney with 12 Ships, saild for the W.I. the 10th of Jany. It is said St. Kitts is taken, but we have no authentic account of that or of the engagement between de Grasse & Hood. I beg my respects to your Lady, & have the honor to be with the greatest esteem, dear Sir, Yr. Most Obedt Servt., A. Lee

RC (DLC: Jefferson Papers). Jefferson, *Papers* (Boyd), 6:164–65.

[1] Lee attached an "Extract from a report of a Committee (Mrs. Boudinott, Jenifer, Livermore, Smith & Varnum) on the Western Lands, read Nov. 3d. 1781," which is also in the Jefferson Papers, DLC. For the committee's report, see Edmund Randolph to Thomas Nelson, November 7, 1781, note 4.

[2] That is, Edmund Randolph, for whom see James Madison to Jefferson, March 18, 1782, note 6.

Elias Boudinot to Henry Knox and Gouverneur Morris

Gentn. Philadelphia March 14th. 1782.

My Time having been so much taken up with several public Matters before your departure, I was prevented complying with your desire; but I hope it is not now too late, as what I can say, will not be wanting till you enter into the negoctiation.[1]

I was appointed Comy. Genl. of Prisoners in Aprill 1777, when I found the department in great Confusion for want of a Head. As soon as I could spare time, my Attention was turned to the unhappy Prisoners in New York from whom the most pitious Complaints were received by almost every Opportunity. By the Affidavits & Examinations of several Persons of Reputation, it appears that from the Month of Septr. 1776 till the month of Janry 1777 there was not the least attention paid either to their Food, Convenience or their Health. The Provisions dealt out to them was of the worst kind, and did not exceed 4 oz of Pork and as much rotten Biscuit per Man per day and often no more for two Days together. The Places of their Confinement were so extremely small for their Numbers, that they could not all lay down at a Time, and not a stick of Wood was allowed them during that Period, tho you will find it regularly charged. Neither Hospitals or Medicines were allowed to the sick, but when an attempt was made to obtain these either for money or Favour, they were told orders had been given to the Contrary. By these and other Means one half if not three fourths of those unhappy Men perished, and many of the Survivors were forced at the Intreaties of officers sent among them for that Purpose, to inlist in the Enemy's Service, to put a period to their intense Sufferings.

The Fall of Genl Burgoyne, produced a different Treatment of our Prisoners, tho' it was by no means remedied in a proper manner. The Complaints from the Provost, where about Twenty odd of our Officers & Citizens of rank were confined, daily distressed every friend of humanity. The Treatment complained of was such as could not have been expected from the Hottentots.

What I have here related, was not of my own Knowledge, but I have ample Testimony of it, in my Possession.

The first Thing I did in order to relieve them was to send in a depty Comy to reside in New York.[2] His remaining in this Capacity was refused, but he was admitted to remain to distribute to the several Places of Confinement, such necessaries as should be sent in for their relief.

Abt the month of Janry. 1778 I went into New York to enquire into the reiterated Complaints of our Prisoners. I was politely treated & suffered to go in Company with an English officer to every Place where Prisoners were Confined, and to examine freely into their Treatment, it being first acknowledged that their Bread had been very bad from necessity. I found their Treatment at the Provost had been worse than represented, and the Provost Martial had the Confidence to acknowledge the Complaints were all just in the presence of the officer and to justify his Conduct from his absolute Authority in that Place.

I found the Privates in general were tolerably well lodged and by the Aid of 3 lb Bread and as much Beef per Man per week which I then allowed them from the Provisions I sent in from Time to Time, which made up what they received from the Enemy a full ration, they lived as Comfortably as could be expected.

The Officers were very well cantoned out on Long Island, on an Agreement I had made for the payment of 2 Dollars per week for their Board & for which I gave my Private Engagement & Credit to

Genl Robertson and the whole of which I discharged from Decr 1777 to June 1778, tho' it has been asserted by Genl Howe in a Letter to Genl Washington that he had paid it, and I have full proof that he never paid a Dollar of it. What was due before Decr. was left to be liquidated with certain Charges of ours for Supplies furnished English Prisoners with us; tho I afterwards heard that my Successor discharged the whole without such liquidation, the Exchanged Officers on Long Island being detained on that Acct.

While the Enemy remained in this Town, every Species of Cruelty was exercised towards them. There are Instances of some of them being kept from 4 to 6 Days without a Mouthful of food, and on receiving a few ounces of raw Pork, it was devoured with so much eagerness that one in particular dropped dead on the spot—others died with Grass in their Mouths, which they had picked up in the State House Yard. In short for a considerable Time, untill Mr. Ferguson under took the Care of them, the Food that our Prisoners did receive, was the effect of the Benevolence & Charity of the Citizens. An Authenticated State of these Facts was sent in to Genl. Howe—he promised redress and I believe detected his provost Martial in selling the Provisions designed for our Prisoners. He then permitted our furnishing the Prisoners with Provisions, which had been heretofore refused, and from this period I found both officers & privates with the principal part of their rations.

In June 1778 I met Mr Loring[3] at German Town in order to liquidate the demand for 1800 Prisoners sent from New York in Janry 1777. We could not agree, till Mr Loring consented to agree to an Exchange of Prisoners then in Philadelphia, and to send in both officers & privates to avoid a Sea Voyage to New York, whereupon I gave up a dispute of 100 Men. Within a few days, I was surprised with an Acct that our People were ordered on Board of Ships. I remonstrated agt this Breach of Faith. Genl Robertson met me on the Lines & was convinced of the impropriety of the Measure, and promised to use his Endeavours to prevent it. However all that could be obtained from Genl. Clinton, was a promise to return them from New Castle in Case some Hessians expected from Lancaster was sent after them. The Hessians arrived in Time, I sent not only to New Castle but to Reedy Island, but all was in vain.

In 1778 The Treasury sent me 19 setts of Bills of Exchange drawn by British Officers for their Board while Prisoners, on their friends in England. Not being able to negotiate them in New York, I sent 16 Setts to London. They are returned protested with Letters wrote by the Drawers desiring their Protest, as they were extorted by rebells. I forgot to mention that at German Town the british Commissary demanded an Allowance for the Men taken at the Cedars. We charged a number of Officers taken in Canada who were returned on Parole. Both these were agreed to be left till farther light on the subject could be obtained—when both were to be properly settled. I am since informed, that the Cedar Prisoners are exchanged by us, without any allowance for the Canadian Officers.

The Bounds of a Letter prevent my fully explaining these with several other Matters relative to Prisoners in 1777 & 1778. I have given these outlines, in hopes it may throw light on the Accts. that will be exhibited by the Enemy. It was remarkable & what I often complained of, that their vouchers were taken from their own Serjeants instead of ours. Therefore altho' the Provisions were actually delivered to their Serjeant; yet it is no Evidence that a Prisoner ever tasted any of it.

I am Gentlemen with great respect, Your most Obedt Hble Servt,
Elias Boudinot

RC (NNC: Gouverneur Morris Collection). Addressed: "Major General Knox & Gouverneur Morris Esq. at Elizabeth Town."

[1] Boudinot wrote this account of the treatment of American prisoners during his tenure as commissary general of prisoners, 1777–78, at the request of Knox and Morris, who had just been appointed by General Washington to conduct prisoner of war negotiations with British commissioners appointed for the same purpose. Washington, *Writings* (Fitzpatrick), 24:53–59. See also John Hanson to Washington, December 5, 1781; Committee of Congress Report, May 4–June 11? 1782; and Morris, *Papers* (Ferguson), 4:438–41. For Boudinot's activities as commissary general of prisoners, see George A. Boyd, *Elias Boudinot: Patriot and Statesman 1740–1821* (Princeton: Princeton University Press, 1952), pp. 36–77; and David L. Sterling, "American Prisoners of War in New York: A Report by Elias Boudinot," *WMQ*, 3d. ser. 13 (July 1956): 376–93.

[2] That is, Lewis Pintard, Boudinot's brother-in-law.

[3] Joshua Loring, British commissary of prisoners.

New York Delegates to George Clinton

Dear Sir Philadelphia March 15th. 1782

Tho we had the Honor of writing to You by the last post, yet we thought it our duty to suggest to the Legislature thro' your Excellency the thought which has occurred to Us of reducing to a voluntary Submission to the Authority of Govt. the deluded Inhabitants between Hudsons River & the 20 Mile Line. We hope that while we deliver our Sentiments on this Head We shall not be deemed to be dictating in our Capacity of delegates; but rather as submitting those sentiments in Writing in our Absence from the Legislature by their Appointment, which as two of their Members of the Legislature, we should have thought it our duty were We present, to offer verbally to their Consideration. The disappointment which those people must feel from being lopped off by the Grants (If that should be the Case), must in our Opinion irritate them much agt. those who drew them into their present difficulty. We therefore beg Leave to recommend it to the Consideration of the Legislature whether sound policy does not at this Juncture dictate the Expediency of passing an act of Oblivion in their favor with a Limitation of Time within which they shall be required to take the Oath of Allegiance to the State to entitle them to the Benefit of the Act. We feel the more desirous that this conciliatory Method should be adopted because We find it wished for by those States in Congress who warmly espouse our Cause. Our Situation we conceive is too critical to permit our disappointing the Expectations of those Friends by whose Attachment to the Rights of our State the Report in Favor of the Grants was prevented from taking Effect; and we are persuaded that the proposed lenient Step on our part will be extreamly agreable to them. We continue in anxious Expectation of the Arrival of the further Resolutions of our Legislature and hope they may contain full Instructions for our future Conduct on a Subject of such interesting Moment to the State We have the Honor to represent.

We are Sir with the greatest Respect your Excellency's most obedt. Servt.

Jon Scott

Wm Floyd

FC (NHi: Duane Papers). In the hand of John Morin Scott, with closing and signatures by William Floyd.

Oliver Wolcott to Jonathan Trumbull, Sr.

Sir, Private. Phildelpa. 15th. March 1782

The Committee to whom was referred your Excellency's Letter respecting the Pay and Subsistence of the State Troops have not yet made Report.[1] Mr. Law and I have therefore judged that We had no matters of sufficient Importance to write an official Letter upon at this Time.

By a Vessel just arrived at this Port from L'Oleron in 30 days Accounts it is said are bro't that de Guichen's Fleet had got refitted at Brest and was ready to sail when this vessel left France. She has bro't. it said Papers giving Information that Sr. James Lowther had made a Motion in Parliament that the British Troops Should be withdrawn from America and that the Force of the Nation should be concentered against France and Spain—That Ld. North agreed that it was necessary to change the mode of carrying on the War but that it was necessary to retain one or more Posts in America—That upon the Question the Ministry Negatived the Motion by a Majority of forty two Members. The Debates in Parliament upon the American War it is said have been Very Animated but I do not hear of any who are for Peace. These Accounts are but just recd. I give them as I have collected them and which are probably in substance true. Upon the Plan of the Ministry We are perhaps to expect a desultory War in America and that the great Effort of the Nation will be to Augment and give Vigor to their Marine.

It will be Very agreable to me that the Delegates who are to succeed Mr. Law and me shall attend by the Time your Excellency has mentioned in your Letter. It will be necessary for me to Return as early in the spring as can consist with my Duty.

I am with great Esteem, Your Excellency Most Obedt. Servant.
Oliver Wolcott.

RC (Ct: Trumbull Papers).

[1] See Connecticut Delegates to Trumbull, March 2, 1782, note 2.

William Ellery to Joseph Clarke

Dr. Sir, Phil. March 17th. 1782.

Immediately upon the receipt of your letter inclosing Genl. Roberdeau's certificate and bills, he wrote you a letter acknowledging the receipt thereof; and upon the same sheet I gave you a line referring thereto,[1] and assuring you that I would do every thing in my power to procure the payment of your loan-office account &c, &c. I accordingly made an extract from your letter of that part which respected that matter, and laid it before the Committee of the week, but finding they would report that it should lay on the table, I took it back, and laid it before the Superintendant of Finance; who told me that he would write to you on the subject of it.[2] Whether any addition will be made to the pay of the Keepers of the Loan-offices I cannot determine; but as it is the design of the Superintendant of Finance that those appointments should be abolished as soon as it can be done with propriety, I believe none will be made. You will most certainly be paid what is due and may become due to you from the public; but perhaps not so soon as you may wish. I think I may congratulate you on the surrendry of Brimstone Hill and the complete reduction of St Kitts, Nevis & Montserrat; which you will see an account in the News paper.[3] You will also see there an account of the disaster of the Brest Fleet, which obliged them to return to Port; whereby every advantage that might have been derived from their having a month's start of Admiral Rodney is lost. However it is a very happy circumstance that the Duke De Bouille should have taken the places beforementioned, before the arrival of Admiral Rodney. You will likewise particularly take notice of the change in the British Ministry. What will be the issue of this change I cannot pretend to predict; nor dare I hazard an opinion upon it, not having had time to make up my mind on the subject. It seems by the speeches of Lds North & Germain that the mode of conducting the war was to be changed; but whether that will be the sentiment of the present ministry you can determine as well as I. I rather think that they will strengthen their post at Newyork for the reasons assigned in those speeches; and, instead of exposing whole armies to be conquer'd as they have done by carrying on an internal war, secure that post and Charlestown if they can, that they may have something to make peace with; and employ their naval, and what land force they may have to spare in recovering the islands they have lost, protecting those which may be in danger; while at the same time their cruising ships will be employed upon our trade. Much depends upon our allies preserving their naval superiority; and I think we have something to apprehend from Lord Howe's being at the head of the Admiralty. His skill and abilities in naval affairs I believe are great, and I don't doubt they will be exerted to the utmost, to increase the strength of the British and lessen that of the French & Spanish Navies. The fort of our enemies used to be and is in their navy. While the combined fleets preserve their superiority we have nothing to fear; if that should be lost we shall have reason to be concerned. The war will I believe be carried on principally upon the water hereafter. While our allies and foes are contending for victory on the ocean, it will be our duty to be active on land. At all events we ought to be early and thoroughly prepared to embrace every opportunity which may offer to make an impression on the enemies strong holds.

Congress have recd. letters from Mr. Dana giving an account of his journey to, arrival at St Petersburg &c. His last letter was dated about the middle of September.[4] I shall keep this letter open and if any thing new should occur before the post goes out I will give it to you. Give my love to your wife & children and accept of my best wishes for your & their prosperity. Yrs W.E.

[*P.S.*] I find that the account of a change in the British Ministry is rather premature: But it is said that Ld Sandwich had resigned and that Lord Howe had taken his seat at the Admiralty. I have seen the capitulation of Brimstone Hill. W. E.

RC (DLC: Continental Congress Miscellany).

[1] Not found.

[2] Robert Morris' March 26 letter to Clarke, the Continental Loan Officer in Rhode Island, is in Morris, *Papers* (Ferguson),4:457–58.

[3] News from the West Indies and Great Britain, including the capture of St. Kitts and Nevis on February 12 and 19, 1782, and extracts from Parliamentary debates on

the need for a drastic change in the prosecution of the war, appeared in the *Pennsylvania Packet*, March 14, 16, and 19, 1782.

[4] Letters from Francis Dana of July 28, September 3 and 15, 1781, to the president of Congress were read on March 15 and referred to a committee of Daniel Carroll, Arthur Lee, and John Morin Scott. See *PCC*, item 89, fols. 554–61; and Miscellaneous Papers of the Continental Congress (M332), reel 2, fols. 170–77.

John Hanson to Philip Thomas

Philadelphia March 18th 1782
Dear Doct. 9 oClock at Night.

I have this moment received your letter of the 10th, No 11. I shall in a little time be in great want of money—if you Can get me £100, it will make me easy. I should be under no difficulties if the state would remit but half of what is due me. Your mother has taken some medicine from Doctr. Bond, and I think she is much better. Sunday week, little Kit was seized with a sickness at the stomach, followed by Vomitting which relieved her. The next day, we prevailed on her with some difficulty, to take a dose of powders which Doctr. Bond prescribed. It operated downwards, and she has ever since been very well. A Gent at New York writes to a Gentleman in this City, that a Considerable Change had taken place in the British ministry. Lord Howe was placed at the Head of the Admiralty, in the room of Lord Sandwich, and that Lord Shebourn, and Colo. Barry were taken in—that General Howe was appointed to Command the Forces in Ireland, and that Sir Guy Carlton, who was formerly Governor of Canada, was appointed to the Command of the British Forces in America, in the room of Sir Henry. This day a Vessel Arrived from St Thomas's, the Capt informs that Charles Town was Evacuated the 24th ult.—that one of the Transports from that place put into St Thomass through stress of weather, with part of the Garrison who gave the Account. He further informs that the British fleet under the Command of Sr Samuel Hood were blocked up in Antigua by the French, who, haveing been joined by Some Spanish Ships of the line, Amounted to 40 Sail. This latter intelligence is of the greatest importance. God grant it may be true—if it is, the French may do as they please in the West Indies—And will have it in their power to afford us Any Assistance we may stand in need of the next Campaign. However you will observe this is Ship news, and therefore not much to be relyed on. If it be true, we shall have it Confirmed in a few days.

I think it is beyond a Doubt that Brimstone Hill has Surrendered, and that the whole Island of St Kitts is in possession of the French—the English had Contrived to leave about 600 men on the Island, with intention to reinforce the garrison, but they were immediately attacked by the French, and the whole Killed and taken, upon which the Garrison Surrendered. Ned Barnes perhaps may be lurking about Laurance Oneals, if he is not gone down to H Hanson. I wrote to Hoskins by the last post about him, if he is there I suppose he will inform me—hope you will hear Something about him by the next post. Your mother and little Kit joins in love to you and little Beck and Johnny who I am very glad to hear are well. Our Horses are Still refractorey which puts it out of my power to send for A &B. which I fear will be a very great disappointment. Since writing the above the Capitulation of St Kitts is Come to hand which is inserted in the inclosed paper.

RC (MdHi: Hanson Letters). In Hanson's hand, though not signed.

James Madison to Thomas Jefferson

Dear Sir Philada. March 18th. 1782

In my last to you on the subject of the map in the hands of Dr. Smith I informed you of the little chance of getting a copy of it for you.[1] Nothing has since occurred wch. affords the least expectation from that quarter, but I have met with a bundle of old pamplets belonging to the public Library here in which is a map published in 1650 which from this & other circumstances I am pretty confident is of the same impression with that of Doctr. Smith's. It represents the South sea at about 10 days travel from the heads or falls, I forget which, of James River. From the tenor however of the pamphlet to which it is immediately annexed[2] & indeed of the whole collection there is just ground to suspect that this representation was an artifice to favor the object of the publications which evidently was to entice immigrants from England by a flattering picture of the advantages of this Country, one of which dwelt on in all the pamphlets is the vicinity of the S. Sea, and the facility it afforded of a trade with the Eastern World. Another circumstance wch. lessens much the value of this map to the Antiquary is that it is more modern by 25 years than those extant in Purchase's pilgrim,[3] wch. are referred to in the Negociations between the British & french Commissaries touching the bounds of N. Scotia as the first of Authenticity relating to this part of the world.[4] If notwithstanding these considerations you still desire that a copy be taken from the map above described I shall with pleasure execute your orders, or if you wish that a copy of ⟨*the Map of*⟩ Virga. or of the whole country may be taken from those in Purchase, your orders shall be equally attended to. I much doubt however whether that book be so extremely scarce as to require a transcript from it for the purpose you seem to have in view.

You will find in the inclosed gazette all our latest intelligence both from Europe & the W. Indies. The Ministerial Speeches in Parliament as well as other considerations render it pretty certain that the system for recovering America will be changed. A peace with Holland & a suspension of the expensive operations in America, are to give their resources full play agst. France & Spain, whilst all the arts of division & seduction will probably be practised on the U States.

Congress have taken no step in the business of the Western territory since the report of the Committee of which I have already given you an account, & which we hear arrived at Richmond on the day of the adjournment of the Assembly.[5] We wish it to undergo their consideration, & to receive their instructions, before we again move in it. Mr. Randolph, by whom this goes,[6] will probably be present at the May Session & will be possessed of every information that may be necessary. I refer you to the interview with him which I hope that occasion will afford you for other congressional intelligence.

I am this moment told that pretty certain information is come to hand of the final reduction of St. Kitts.

With great regard I am Dr. Sr. yr. obt. friend & Servt.

J. Madison Jr.[7]

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:101–2.

[1] See Madison to Jefferson, April 3, 1781, note 3.

[2] For Edward Williams' *Virginia in America, Richly Valued* (London, 1651) in which appeared a "Faithfull Map of Virginia in America," see Madison, *Papers* (Hutchinson), 4:102nn.2 and 3.

[3] That is, Samuel Purchas' *Purchas, His Pilgrimage*, 4 vols. (London, 1625).

[4] See Madison, *Papers* (Hutchinson), 4:102n.5.

[5] See Madison to Jefferson, November 18, 1781, note 1.

[6] Edmund Randolph left Philadelphia for Virginia this day in the expectation that he would be returning to Congress, and he later declared his intent to do so after his June reelection to another term. But in a letter of June 24, which is in the Executive Papers, Vi, he reminded the House of Delegates that his duties as an assembly delegate, especially "my nomination to the committee for preparing and publishing a state of the title of Virginia to the western territory," and his duties as attorney general would detain him in Virginia until December. By that time, however, Thomas Jefferson, who was also a member of the title committee, had accepted Congress' appointment as a peace commissioner and his departure for Europe left Randolph with the major responsibility for drafting the document. Thus in a December 10 letter to the House, which is also in the Executive Papers, Vi, Randolph asked to be relieved of his seat in Congress, explaining that "the vindication of our western pretensions is the only reason why I request . . . the nomination of a successor." See also Madison, *Papers* (Hutchinson), 4:90n.4, 5:308–9, 400n.4, 9:427.

Before leaving Philadelphia Randolph also received from Superintendent Robert Morris a blank commission and instructions for selecting "a receiver of the Continental Taxes in the State of Virginia." See Morris, *Papers* (Ferguson), 4:379–80.

Randolph's accounts for £804 in Pennsylvania currency for "travelling to, attending on, and returning from congress" between July 6, 1781, and March 30, 1782, are in the Continental Congress Papers, Vi. For an assessment of Randolph's eight-month term in Congress, see John J. Reardon, *Edmund Randolph: A Biography* (New York: Macmillan Co., 1974), pp. 42–54, 64–65.

[7] Madison sent the following brief letter to state commercial agent David Ross on March 23:

"Be Pleased to Pay to the Order of Messrs. Peter Whitesides & Co. The Sum of Two hundred Pounds this Currency, being the Amount I have received from them on Account of the Virginia delegation, and for which I have given them two dfts on you of this Tenor & date." Ross Correspondence, Miscellaneous Microfilm, reel 653, Vi.

For Madison's expense account for the quarter December 20, 1781 to March 20, 1782, which he sent to the Virginia Auditors at about the same time, see Madison, *Papers*, (Hutchinson), 4:108-10.

Elias Boudinot to Elisha Boudinot

My dear Brother. Philadelphia March 19th. 1782

Your Favour of the 13th Instt. is now before me. You have by this Time recd. my last by Coll. Griffin's Boy, who left this last Week[1]—Since which we have had several arrivals both from Europe & the West Indies. I can only deal in generals—Every Thing on the other Side of the Water looks Favourable. We shall not be deserted there. No hopes of Peace from any Quarter. Brittain talks of changing the War—from an internal to a naval War. The Minority have a Vain hope that if they withdraw their Troops, that we will submit even yet to the dominion of the King of Brittain. We have been amused with a Vague report of the evacuation of Charles Town on the 24th Feby but I believe without Foundation in Truth. The Capitulation of Brimstone Hill is arrived. The French seem to be anxious to reduce the rules of War to some consistency with the Principles of Benevolence. The English Islands will be almost tempted to submit to the Gallic Power, to obtain a happier State than even the british Government allows them. The Island of St. Kitts now enjoys a Right of Trade to all the World both Friend & Foe. As to Mr. Wykoffs Lotts, you must have been misinformed as I know he sold one for £3 per acre.

As to the particular Business you mention, I wish you to make some Agreemt with the Person, if he may be depended on. It will be a Matter of great Consequence, especially to obtain a diary of all the Men of War coming in & going out of NYork from day to day—with their Force—men—Names, &c &c, where bound &c. I could venture some Expence out of my own pockett for so essential a public Service.

We hear this Morning that Count de Grasse is Cruizing off Antigua with 42 Sail, being reinforced with four Spanish & some French Ships. The British national Debt was settled the 5th Augt last, at 178 Millions funded—21 Millions unfunded—the annual Interest 8 Millions.[2]

The Back Lands are not taken up. Congress seem afraid of it, and I see nothing will be done while I am here.

I am glad to hear you are likely to secure Copperthwaites Debt which amounts to £ on last.

Your Sister & Susan Join me in kind Love to Sister & all Friends. Am My Dr Brother, Yours most Afftly, E.B.

[*P.S.*] I left a Blank above expecting to be able to fill it up, but I find that you have the Agreemt or Bill of Sale.

RC (NjP: Thorne Boudinot Papers).

[1] Not found; but the letter was probably written on March 12 when Elias also wrote to his brother-in-law Lewis Pintard.

[2] This information appeared in the *Pennsylvania Packet*, this date.

Elias Boudinot to Lewis Pintard

My Dr. Sir, Philadelphia March 19th 1782

I duly recd your last Favour, and am greatly obliged for your great attention to my little Affairs.

We have had various arrivals here from Europe & America. Our Affairs the other side of the Water, appear very flattering and have reason to hope for the best. No prospect of Peace. Brittain is very stomachful, and will die hard. They are greatly divided in that unhappy Island and I believe will remain so. I have wrote Mr. Livingston a long Letter about the State of Things in England &ca which he will shew you,[1] as my Time is very short before the Post goes.

Brimstone Hill has certainly Surrendered, as also Nevis, St. Martins, Demerara, Barbados &ca. Count de Grass has with him 42 Sail of the Line French & Spanish *as is said*.

I return the Plan of the Garden, but am afraid it will [*be*] too much Trouble for you—I can get no Colly flower Seed as yet—but will still try.

I am under a necessity of setting off the first day of Aprill, as I must attend the Court at Trenton, tho' I should leave the Ladies behind. Our kind Love &c. Am my Dr Sir, Yours Afft. B.

[*P.S.*] 13 Transports of Mons. De Guichens Fleet were taken. The whole fleet were separated by a storm and the Admiral had like to have been lost. He got into Brest except 2 ships of the Line who kept on & has joined DeGrass. The Fleet is refitted & was to Sail from Brest as of the 15th Feby. Rodney sailed the 10 Janry. was forced back & sailed again the 7th Feby. He has 10 Sail of the Line. De Guichen has 19 & 15000 Troops.

Love to Mrs. H.[2] I do not think that I shall have time to write her.

RC (PHi: Boudinot Papers).

[1] Not found.

[2] Probably Mary Boudinot Hetfield, Boudinot's sister.

John Hanson to Thomas Sim Lee

Dear Sir Philadelphia March 19th. 1782

I am honored with your Excellencys favour of the 15th for which I am obliged to you. If you have leisure Should be obliged to your Excellency to inform Whether the whole of the £4 allowance is to be discharged in specie, if not the whole, what part—if the half of that Allowance only is to be paid in specie, I presume the other half will be paid either in red money at par, or Settled by Certificate. I Should prefer the former, and upon your Excellencys favouring me with the information requested Shall be under the necessity of asking your assistance in procuring for me the money that may be due. I Congratulate you on the Surrender of Brimstone hill and the whole Island of St Kitts to the French, the Capitulation is inserted in the inclosed paper. A person in New York writes to a Gentleman in this City, that a Change has taken place in the British Ministry. Lord Shelbourn, Colo Barre and Lord How are in, this last Gentleman at the Head of the Treasury in the room of Lord Sandwich—that General Howe was appointed to the Command of the Forces in Ireland and that Sr. Guy Carlton is to take the Command in America in the room of Sr Harry. A Vessel arrived here yesterday in a short passage from St Thomas's. The Capt Informs, that Count de Grasse had been joined by some Spanish Ships of the line, that the whole fleet amounted to 40 Sail, and that he had blocked up the British fleet at Antigua. This you will observe is Ship news.

I have the honor to be Dear sir, Your Excellencys most obedt servt,

John Hanson

NB. Mr. Worthington's Phaeton is almost finished.

After purusing the paper Should be obliged by your Sending it to my son.

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

Joseph Jones to Edmund Pendleton

D. Sr. Phila. 19th Mar. 1782

I know not whether it is my turn regularly to answer you this week or not as your Letter was to Mr. Madison,[1] but be that as it may I shall take the liberty of troubling you with a Letter. The claims of the people of Vermont still remain unsettled, and a change must take place in the opinion of some States, before they can be acknowledged independent and admitted into the Union, even upon the supposition that the consent of nine States is sufficient for the purpose—the fair construction, however, of the confederation seems to require the assent of the whole. The sense of Congress cannot be long delayed on this business, if it be true what we are lately told, that the people of that Territory have disolved their Union with what is called the wings, that is, incroachments upon the States of N. York & N. Hampshire withot. the original demands of those people, and which by resolutions of Congress of the 20th of Augt. last they were required as a preliminary to their Independence and admission into the union of the States to relinquish—this proposition they at first rejected, but it seems they have since relented, if our information is true. Their refusal however is considered by many as an absolution of Congress from the terms then offered and left that Body at full liberty thereafter to abide by or depart from those terms. Motives of policy dictated the measure in August but circumstances have since changed and what appeared to be necessary then, is not now so pressing. In short, incidents have happened since that period which so strongly mark a hostile disposition in some States to invade the rights of others, that, I believe, it will be very difficult to obtain the concurrence of nine to give them independence and the priviliges of the Union, at least before Some great political questions are decided respecting the united States, their individual & general rights.[2]

In your Letter last week to Mr. Madison[3] you seem not to approve our assuming any other rule of proportion on the settlemt. of the public accounts than what has been already taken and that it wod. be better to examine the account and let them lie over for final settlement according to the Confederation. You go upon the supposition that the proposed settlement is not to be final, wherein lies your mistake. It is intended to make a final settlemt. of past expenditure between the individual States and the united States & between Individuals in the States and the U. States to the 1st of Janry last. These transactions laying as it were in a chaotic state, the doubts and jealousies entertained that Congress had no serious design to bring them to settlement, and the relaxation and langour prevailing in consequence of opinions taken up that each had done more than its proportion, rendered it indispensibly necessary to bring all these matters to a close. A plan was therefore proposed by the financier wch. being considered and amended was at length agreed to by Congress. The outline of which is for the States to authorize Congress to assume such principles for determining the quotas of the respective States as from a consideration of all circumstances shod. appear just and equitable having regard to the abilities of the States from time to time in consequence of the ravages of War. The States are required to furnish the best information to enable Congress to adopt an equitable rule. A Commissioner is to be appointed for each State (not a Citizen of the State) to settle the accounts according to such rules as have been or shall be laid down by Congress—the accounts so settled to be final and conclusive to the above period. Where such confusion exists as in our past expenditures and such a variety of interest were necessary to be combined, it was very difficult to digest any mode likely to give satisfaction and content, perhaps the one proposed is as free from objection as any that could be devised and if approved by the States will ultimately produce very beneficial consequences.

We have a report today that Chs Town was evacuated abt. the 24th of last month and that a transport with some of the Troops was spoken with bound to the W. Indies—this I fear originates in the departure of abt. 30 refugees from Chs. Town for the W. Indies. The inclosed will shew you the terms granted St. Kitts. It is expected a peace will take place between England and Holland under the mediation of the Empress of Russia as those powers have accepted her offer, and it is reported from New York that the preliminaries are settled. This, if it takes place, will be a great relief to Britain, and may, if another account be true, that Ld. Howe is to be at the head of the Admiralty, be the means of more vigorous naval exertions than have lately been manifested by them and render the superiority of France and Spain upon the water more precarious than at present. It wod. appear by the inclosed Newspaper we are to be respited for awhile from offensive operations in the manner heretofore prosecuted upon the land. I wish a change of men and the mode of conducting the War may not prove at length more dangerous to Us than their offensive operations have done. These changes I fear portend no peace to America—they indicate a change of hostile measures but breathe nothing peacefull, and may have the effect, while they effect not to pursue with her usual vengeance the people of these States, to quiet the rising clamors of the British Nation and reconcile them to a continuance of this ruinous war—convinced I am nothing but inability to go on will reconcile Great Britain to relinquish America and she must loose more Islands yet before the necessity for peace will be sufficiently felt. If we can accomplish the arrangement of our finances, wch. we have a prospect of doing, and the States will but make even moderate exertions in furnishing a part of those resources they possess America has but little to fear from a continuance of the War and will have only to lament that the obstinacy of her Enemy compels her to submit to those calamities that are usually attendant on War. If I can procure as much money as will clear me out I shall visit Virga. abt. the last of next month. With real esteem I am, Yr. obt Friend & Servt., Jos. Jones.

RC (NN: Miscellaneous Collection).

[1] See Madison to Pendleton, this date, note 1.

[2] Jones had also recently spoken to Washington about the Vermont claims and had asked him for a copy of his frank letter of January 1, 1782, to Vermont governor Thomas Chittenden respecting those claims. To this request Washington had responded in a brief note of March 10, for which see Washington, *Writings* (Fitzpatrick), 23:419–22, especially note 40.

[3] See Madison, *Papers* (Hutchinson), 4:75–76.

Samuel Livermore to Meshech Weare

Dear Sir, Philadelphia March 19th 1782

Your letter abt. the quota—and the five million, has been read and committed to a committee. I find it will be *violently* as well as *unreasonably* opposed.[1] I have not proceeded so fast as I should have done for want of certain members of congress now absent, but which will soon be here, that I expect will be friendly. Is it possible that self interest should be able to blind so great & good men as members of Congress are? I shall do my utmost however to get justice done. Tis said Charlestown is evacuated—doubtfull—Be that as it will: The debates in the Brittish parliamt. & success of the French in the west indies are much in our favour.

Now for a word about Vermont. If we should extend west of the river to the ridge of mountains, it must be done with the good will of the people living between the river and those mountains otherwise the acquisition would cost N.H. more than it is worth.

Now if that district wish to joyn us, as has been often hinted, and as has been undoubtedly the case heretofore. It would be very agreable; and easy to accomplish.

I suppose the legislature of NY would gladly settle with the legislature of N.H. without the intervention of Congress a line on the ridge of mountains as a boundary line between N.H. & N.Y. and if the people on the east of the mountans approve of it. This would throw us into a state of perfect tranquility. Let NY settle with the people west of the mountans as they can agree, it would not concern us. But on the other hand if the people between Connecticut river & the mountains are against us, and choose rather to divide by the river, let us make ourselves easy without them. I think it is in the power of the people west of the river east of the mountains to turn the Scale for their own benefit and ours. We have been taking pains to serve them as well as ourselves. They will never be allowd east of the river, nor N H west of the mountains. Nature sets the mountains for the boundary: And if Vermont shd be annihilated or rather disallowd as a state, N.Y. will have a share of it, that is, the part west of the mountains.

I have the honour to be your most obedt. Servt.

Saml Livermore

RC (MHi: Weare Papers).

[1] See Livermore's first letter to Weare of March 12, 1782, note 1.

James Madison to Edmund Pendleton

Dear Sir Philada. March 19th. 1782

Yesterday's post brought me your favor of the 11th instant,[1] which if my recollection does not fail me is an act of supererogation, the terms of our contract entitling Mr. Jones alone to your correspondence of the present week. To show you how acceptable it is to me I have selected the inclosed gazette published here last week as containing the greatest portion of entertaining & interesting matter which we have of late recd. I leave it to Mr. Jones to transmit you the gazette of this morning.[2]

The Ministerial Speeches with other circumstances place it beyond a doubt that the plan for recovering America will be changed. A separate peace with the Dutch, a suspension of the offensive war here, an exertion of their resources thus disencumbered against the naval power of France & Spain and a renewal of the arts of seduction & division in the U. States will probably constitute the outlines of the new plan. Whether they will succeed in the first article of it can not be ascertained by the last intelligence we have from Holland. It is only certain that negociations are on foot under the auspices of the Empress of Russia. Mr. Randolph set off this morning[3] & will probably reach you nearly as soon as this. I leave it to him to make known other particulars. I am &c. J. Madison Jr.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:106.

[1] See ibid., pp. 48–9. See also Joseph Jones to Pendleton, this date, note 1.

[2] Madison and Jones apparently enclosed the March 16 and 19 issues of the *Pennsylvania Packet*.

[3] Madison was mistaken, for in the Virginia delegates' letter of this date to Benjamin Harrison, Arthur Lee stated that Edmund Randolph left Philadelphia "yesterday," and in his letter to Madison of May 5 Randolph inquired about a committee report made on foreign dispatches referred to committee "on the morning of my departure," which was March 18. See *JCC*, 22:140–41; PCC, item 186, fol. 17; and Madison, *Papers* (Hutchinson), 4:110–11, 208. See also Madison to Thomas Jefferson, March 18, 1782, note 6.

Samuel Osgood to John Lowell

Dear Sir. Philadelphia March 19th. 1782

I have the Pleasure of congratulating on your Appointment as a Delegate to Congress. I am very much pleased with the Appointment also of Mr. Sullivan.[1] I hope that Duty which you certainly owe to the public will direct you to lay aside every private Consideration & to proceed without Delay to this Place. Your Services here, I have no Doubt will greatly merit the Acknowledgments of our State—you will give me leave to expect that you will not even hesitate a Moment as to the Line of your Duty. (I shall be very happy to return as soon as the State is represented. I have not yet forgot the Heat of last Summer altho it was said to be very moderate; I shall not be fond of bearing the Burthen of the Heat of another.)

Should you proceed immediately this Way you will give me Leave to suggest one Matter which is of very considerable Consequence to our State. The Boundary between our State and Nova Scotia has & probably will again be bro't into View in the Course of the Spring.[2] How far we extend upon the Eastern Coast seems to be a Matter of Uncertainty—here you will find few or no Documents respecting the Matter—It will therefore be happy for the State if you can furnish yourself with Evidence as to this Affair previous to your Leaving the State.

General Lincoln arrived here last Sunday. We have no News farther than what you will see in the Papers.

I am, Dear Sir, very sincerely your most obedient Servant,

Samuel Osgood

RC (DLC: Osgood Papers).

[1] Lowell and James Sullivan had been elected to Congress on February 28 following the resignations of Samuel Adams and Artemas Ward as delegates, but Sullivan resigned on April 23. See *JCC*, 22:278; and Journal of the Massachusetts House of Representatives, February 28 and April 23, 1782, pp. 623, 687, DLC(ESR).

For Elbridge Gerry's letter of February 9 to the Massachusetts Assembly also signifying his desire "to decline the Acceptance of a Seat in Congress" because of his privilege dispute with Congress, see Burnett, *Letters*, 6:300–301; and these *Letters*, 14:430–33, 435–36, 15:3–6.

[2] The subject of Massachusetts' boundary with Nova Scotia came before Congress again on August 15 as one of the many elements in a long committee report on the "peace ultimata" which had originally been submitted on January 8. See *JCC*, 23:468–522.

Rhode Island Delegates to John and Nicholas Brown

Gentlemen, Philadelphia March 19th. 1782

We received your letter by the last post with its inclosures, and have laid them before the Superintendant of Finance. He is at present very busy; but will take them soon into consideration and do what is proper on the occasion.[1]

We heartily congratulate with you on our good ally having taken complete possession of St. Christophers, and its dependencies, and are, Your very hble servts,

William Ellery

Ezek Cornell

RC (RPJCB: Brown Papers). Written by Ellery and signed by Ellery and Cornell.

[1] For information on Robert Morris' efforts to settle the Browns' accounts with the Secret Committee, see Morris, *Papers* (Ferguson), 5:469–70.

Virginia Delegates to Benjamin Harrison

Sir, Philadelphia March 19th. 1782

The Motion we made for Congress to accept the Beef, that might be supplied by the State for the southern Army above her former quota of that article, in discount for its value in the last Quota; is referrd to the Super-intendant of Finance, who has not yet reported upon it.[1] If our accounts are true, touching the evacuation of Charlestown, which is said to have taken place on the 24th ult. it will hardly be an object for us to press, considering the precedent it will establish.

The capture of Cornwallis and of his Army, has made a great impression on the European Courts in our favor; & the evacuation of the southern parts of the U.S. will probably raise such an opinion of the establishment of our Independancy beyond the power of G.B. to shake, as to incline some of those Courts to an Alliance, that may make our Enemies dispair of ever succeeding against us. The alarm in England is very great. Strong & pointed Petitions have been presented against continuing the war, the opposition in the House of Commons has reachd within 41 of the ministerial Majority, & the accounts from N. York are, that the Lords North, Germaine & Sandwich are actually displacd. Vigorous preparations, on our part, for the ensuing campaign, will give such efficacy to these impressions as may probably put a period to the war.

We enclose the Paper, which will shew the success of our Ally in the W. Indies.

Our Colleague Mr. Randolph, who left this place for Richmond yesterday,[2] will give you a more particular account of the contents of our latest Dispatches, & of the proceedings here, than it is proper for us to commit to Paper.

We have the honor to be, with the greatest respect, Sir, Yr. Excellency's most obedt. & most Humb. Servts. J. Madison Jr.

Jos. Jones

A. Lee

RC (Vi: Continental Congress Papers). Written by Lee and signed by Lee, Jones and Madison.

[1] On February 13 Congress had requested that Virginia supply Nathanael Greene's army with beef, for which see Virginia Delegates to Harrison, February 15, 1782, note 2. On the 28th Superintendent Robert Morris informed Governor Harrison that the cattle furnished could be counted against Virginia's balance of specific supplies due. Before receiving this letter, however, the governor had protested to the Virginia delegates on March 1 that the state had more than met its requisition in cattle and demanded that the beef sent to Greene be credited to the state's quota of the $8 million specie requisition of November 2, 1781, a policy Congress and Morris had already rejected. When the delegates presented Harrison's request in Congress on March 15, it was referred to Morris, with whom the delegates met on March 20 and who "told them the impropriety in the Motion" and showed them a copy of his February 28 letter to Harrison, a reply that he thought sufficient. See *JCC*, 22:136; Virginia Delegates to Harrison, March 12, note 3, and March 26, note 1; Madison, *Papers* (Hutchinson), 4:31n.2, 77–78, 104n.1; and Morris, *Papers* (Ferguson), 4:325–26, 424.

[2] See James Madison to Thomas Jefferson, March 18, note 6, and to Edmund Pendleton, this date, note 3.

Oliver Wolcott to Jonathan Trumbull, Sr.

Sir, Private. Philadelpa 19t March 1782

I enclose to your Excellency some publick Prints which, Alltho they Discover much Disorder in the british Councils and Nation, yet I do not Apprehend that many of either Party have any Design to yield the Independence of this Country. Ld. Shelburne I believe and his Party imagin that if they should get into Power and offer what they would call ginerous Terms to America, that We would give up our Independence and break our Alliance. It is most astonishing that such a thot. could possibly be entertained at this Period—But I think that Numbers of the Minority still flatter themselves with so strange a Delusion.

The Debt of the british Nation last Aug. was 178 Millions funded and 21 Millions unfunded Debt—Annual Interest rising of Eight Millions.

The present Parliament have it is said granted three Millions and a half for Extra. The supply for this year will not probably be less than 20 Millions. Poor America how much would you have to pay if you should be beat. But blessed be God that We have so little Reason to fear such an Event.

The Court of London has offered to Submit her Dispute with Holland to the Mediation of Russia. The Circumstances of the War—and the divided dilatory Councils of Holland render a seperate Paccification Very Improbable, in the Opinion of almost every gentleman that I have conversed with.

I am with the highest Esteem, Your Excellency's most obedt. servt.

Oliver Wolcott

RC (Ct: Trumbull Papers).

Daniel Carroll to George Washington

Sr. Pha 20th. March 1782

I do myself the honor of inclosing Extracts of two Letters—one from Mr. Jay—the other from Docr. Franklin.[1] I am with great respect, Yr Excellys Mo Obt Servt.

Danl Carroll

RC (DNA: PCC, item 19).

[1] The enclosed extracts from Jay's October 3 and Franklin's November 5, 1781, letters to Congress, concerning the treatment of Henry Laurens and other American prisoners in England, are in PCC, item 19, 3:441–42. The two letters had been read in Congress this day and referred to separate committees, each of which in turn referred pertinent extracts concerning prisoner treatment to "the comee on retaliation," consisting of Carroll, Abraham Clark, Ezekiel Cornell, Nicholas Eveleigh, and Edmund Randolph. To this committee a number of extracts from the *London Courant* "respectg. Mr. Laurens' situation in the tower" had also been referred on March 15. See PCC, item 82, 2:19–30, item 89, fols. 379–440, item 186, fols. 17–18; and Wharton, *Diplomatic Correspondence*, 4:764, 825–26.

Washington, about to return to the army after a sojourn of 17 weeks in Philadelphia, had recently completed preparing instructions for Henry Knox and Gouverneur Morris concerning prisoner exchange negotiations they were about to undertake at Elizabethtown, N.J., for which see Freeman, *Washington*, 5:408–10; Washington, *Writings* (Fitzpatrick), 24:53–59, 66–68; and *JCC*, 22:140–42.

John Hanson to the States

Sir, Circular. Philadelphia 20th March 1782

I have the honor to enclose your Excellency a Proclamation of Congress, dated the 19th instant;[1] and am, with great respect, your &c.

J. H. Presidt.

LB (DNA: PCC, item 16). Endorsed: "The like, verbatim, was sent to General Washington, dated 21st March 1782."

[1] For the text of this proclamation, "to set apart the last Thursday in April next, as a day of fasting, humiliation and prayer," see *JCC*, 22:137–38.

John Hanson to George Clinton

Sir, Philadelphia. 21 March 1782

Inclosed herewith your Excellency will receive a copy of an Act of Congress of the 19th instant, which is so full and explicit upon the subject which gave rise to it, that no comment or explanation is necessary.[1]

I have the honor to be &c. J. H. Presidt.

LB (DNA: PCC, item 16). There is no indication in Hanson's presidential letterbook why this appeal to the states was addressed only to the governor of New York.

[1] The enclosed resolution recommending that the state legislatures "make suitable provision for staying all suits" instituted against Continental officers "for debts contracted by them for supplies furnished or services rendered to the United States," was adopted in response to a letter of February 25 from Quartermaster General Timothy Pickering. See *JCC*, 22:138–39; and PCC, item 19, 5:171–73, item 192, fols. 89–98. Pickering's letter had been referred the same day to a committee consisting of Elias Boudinot, Daniel Carroll, Thomas McKean, Edmund Randolph, and John Morin Scott, whose report was in turn referred on March 7 to a second committee consisting of Abraham Clark, Samuel Livermore, and James Madison. For the work of these committees and Madison's authorship of the committee recommendation eventually adopted by Congress, see Madison, *Papers* (Hutchinson), 4:91–92.

John Hanson to Nathanael Greene

Sir, Philadelphia 22d March 1782.

Your two favours of the 24th January and 10th of February have been received and laid before Congress.[1]

I have now the honor to enclose a Proclamation of Congress, dated the 19th instant, assigning the last Thursday in April for fasting, humiliation and prayer.[2]

The general Affairs and transactions on the Continent seem to afford little matter either to inform or amuse. The reduction of the Islands of St. Christopher and Nevis, in the West Indies, will, no doubt, be known before this can reach you. For farther and more minute Intelligence I beg leave to refer you to Capt. Hutchins, who will have the honor of delivering this letter.

I have the honor to be, with great respect, Sir, Your obedient & very humble Servt, John Hanson, Presidt.

RC (MiU–C: Greene Papers).

[1] For these letters to Congress and an enclosed January 21 letter to Greene from Virginia governor Benjamin Harrison, see PCC, item 155, 2:413–14, 421–28.

[2] See Hanson to the States, March 20, 1782.

Charles Thomson to Timothy Pickering

Dear Sir, March 22. 1782

I do not recollect any declaration of the King of France relative to prizes taken by french privateers & carried into the ports of America but there is one relative to the prizes taken by Americans & carried into France by which those prizes are admitted to be libelled & condemned in his courts.[1] The book in which this is contained I lent to the Secy for foreign affairs as relating to his department & he has not returned it: But I think the declaration was published in the News papers in 1779 which are in the Office.

Cha Thomson

RC (MHi: Pickering Papers).

[1] A copy (in English) of Louis XVI's "Regulation concerning the Prizes which French Privateers may conduct into the Ports of the United States of America, and those which American Privateers may bring into the Ports of France. . . Given at Versailles the 27th September 1778," is in PCC, item 59, 2:109–16. It is endorsed by Thomson: "Regulation of his Most Christian Majesty Sept. 27. 1778 respecting privateers. Feby. 22. 1779. Referred to the comee. on appeals." See also *JCC*,13:219.

William Ellery to Christopher Ellery

Dr. Brother, Phildelphia Mh. 25 1782

When I wrote to you last[1] I was in a hurry, and did not recollect that, beside your So Carolina certificate, I had two certificates which issued here for 600 dolls. each, and bills for the last years interest of both of them. I have since received a sett of bills for the interest of the So. Carolina certificate, and now send you, by the way of Providence, the first and second bills of each sett inclosed in this letter, which will go inclosed in one to Joseph Clarke Esqr. with directions to be transmitted to you by the first good hand. The other bills I shall send by the next good opportunity, not thinking it prudent to trust the whole to one conveyance.

The Brig Betsy, Capt Gallager, by whom I sent your bills, arrived safe. I wish you may have better success this, than you had the last year. Indeed I wish you every kind of felicity; for I am affectionately, Yrs, W Ellery

[*P.S.*] My duty to Mother and Love to your wife & children.

RC (NN: Emmet Collection).

[1] Not found.

Thomas Smith to Arthur St. Clair

My Dear Sir Philada 25th March 1782

I am not such an unconscionable fellow as to complain of your not writing to me *often* enough of Late: but your last Letter gives me greater cause of complaint against you for not writing *enough* at a Time, than I ever had before. I wished & expected that you had wrote ten times as much—what great events from trivial causes spring? You omitted the Letter y in your Draught of the 30th of January, which I did not discover till the Pay Master informed me that, he had not the Money then, but would have it in his power to draw for it soon, and as it was only for *eight* Dollars it was not very material. I believe I shall be able to draw the sum that you intended by becoming security that you will rectify the mistake. I received the amount of the other Draught, & sent the Money up by the same Gentleman (James Potts Esqr.) who took the last, To Mrs. St. Clair.[1] I received a few Lines from her along with the Letter which I herewith send you &, I hope that Letter will give you accounts from your family that will greatly relieve the anxiety of your mind.

Congress are certainly blameable, either in granting Money to Gen. Gist or in not granting it to you for similar services; I am rather inclined to think in both, that is, that he was allowed more than he ought to have been—That in consequence of that allowance being made to him, you have made some charges (for Lodging for example) that ought not to have been allowed you. Your Letter is referred to the Superintendant of Finance,[2] & after he shall have had a reasonable time to consider it I will inform myself (by Letter to him or by waiting upon him,) what he has done. You mentioned to me before you left this Place your inclination to resign eventually, & you repeat the same thing in your last Letter to me. I then gave no opinion on the point, nor can I now in the Character of a friend, give you any opinion, if you had asked it. I think I do justice to your feelings when I say that I can form an Idea of them in no very faint colours. Any man at such a Distance from his family as you are, and uncertain of their being supplied with what would render his absence less intolerable, must pass many uneasy anxious moments—what then must you feel? Had you not omitted to take the necessary steps to have had your account passed before you left Town, I could not suppress my indignation at the disagreeable effects of its not being answered according to your expectation, But whether you will resign on that account, deserves some consideration, & I doubt not but you will consider the step in every point of view before you take it; I am not to be told that the ungrateful treatment of your Country on a former occasion, must have left a wound in your mind that can never be radically cured. Kings *may* be ungrateful—Commonwealths *must* be so—says the old apothegm the truth of which you have experienced, but the duty of the Citizen is not extinguished thereby. The Pecuniary distresses of your family seems to be the principal, if not the only motive, that you assign for resigning; but will they be better relieved if you resign than if you continue in the Army? I think not—for, notwithstanding that you have rendered essential services to your Country in the Line of your Profession, yet in that case they would be forgotten by two thirds of those, who at present have a Just sense of them, & your resigning, for a cause which cannot be known by many, & will be allowed by fewer still, will be sure to be remembered to your disadvantage in the way of any desireable appointment in the Civil Line, & give your Enemies cause of triumph. I am not one of those sanguine mortals who think that the war will soon be at an end, nor one of those unthinking ones, who believe that our pecuniary distresses are intirely over; but I think I may assert that they will not be felt to the degree that they have been. Our late System would have brought any nation in the world to ruin in a short Time; but I hope we are taught wisdom by experience—œconomy is introduced, useless offices & Departments abolished, and such Taxes called for from the States that if they comply only tolerably well, the Army will be better paid than they have been since the third year of the War. The surprise of Posterity will be as great, that we survived the annihilation of Paper Currency, as our distresses have been by that event. I told you in my last, I think, that before your Draughts of the 30th Jany. & 6 Feby. there were 332 Dollars you was intitled to Draw for, exclusive of your Rations, before August (you must Draw for the remainder, on account of your Pay for *Jany* & *February*) by that Time the Taxes will be some of them paid in, & I think the prospect is very promising for the Assembly of this State have voted the whole sum required of them, *unanimously*, and the other States seem to tread in the footsteps of this. I hope they will in this Case particularly.

As you never write any News to me from the Army, you need not expect that I will write any from the City. I have two other reasons, the one of which is, that I take it for granted you are regularly informed of every thing of moment here, by those who are much more capable of the task [than] I am, & the other is, that I know of none of any thing at this Time; I have added a third, which is, that the bearer of this, having nothing el[se to] do, but collect news, can give you full information on the important subject.

Barnard is standing over me—is as d—nd a queer fellow as usual and desires me to assure you that he wishes you well, & faith I believe him and in this I most heartily join him, & am, with much esteem yours sincerely, Thomas Smith[3]

RC (OHi: St. Clair Papers).

[1] Smith's March 20 letter to Pheobe St. Clair enclosing "ten half Johannes" drawn on the paymaster by general St. Clair is in the St. Clair Papers, OHi.

[2] No mention of such a letter is in the PCC, the journals, or the papers of the superintendent of finance, although the following January 10 entry in the official diary of Superintendent Robert Morris may pertain to the issue alluded to here. "Mr Wilson applied for Money to Subsist Genl St Clairs Family but I was obliged to refuse being Contrary to a necessary Act of Congress. I lament this necessity but cannot avoid it." Morris, *Papers* (Ferguson), 3:487.

[3] For the continuation of this letter, see Smith to St. Clair, March 31, 1782.

John Hanson to Thomas Sim Lee

Dear sir Philadelphia March 26 [1782]

I am favoured with yours of the 22nd for which be pleased to Accept my thanks. I inclose you a paper and tho' there is but little in it, it Contains all the news we have here. It is reported that another embarkation is taking place at New York. If so the Conjecture by some is that they are intended for Rhode Island, founded perhaps upon the Debates in the House of Commons. If the Enemy should take this Step, it is probable the mode of Carrying on the War is to be changed, they will prosecute it more by Sea And endeavour to distress us as much as possible by intercepting our trade.

A vessel Arrived here a few days ago from France, the five per Cent Duty on her Cargo, had it have been Adopted, would have Amounted to near ten thousand pounds.[1]

I am With usual esteem and regard, My Dear sir, your most hble servt.

John Hanson

RC (NjMoHP: Lloyd W. Smith Collection).

[1] Hanson made this same observation in a brief personal letter of this date to his son-in-law Philip Thomas, which is in the Hanson Papers, MdHi.

Joseph Jones to James Hunter

Dr. Sr. Phila. 26 Mar. 1782

I have your favor inclosing a Letter for John Dawson—since the receipt of it I have a Letter from Mr. Swan and one from Mr. Dawson wherein Mr. Swan mentions the first draft of £32.9.9 and also one since for £90 and Mr. Dawson requests I wod. write to you to pay them. I last week mentioned to Col. Taliafarro to acquaint Mr. Bowdoin that Mr. A. Waugh jr. was to have lodged Tobacco on accot. of Mr. Dawson and that if it was not done I wished him to be pressed to do. There was then due abt. 7000 lb. Tobacco in Orange besides what the Negro might produce that was ordered for Sale, then will I hope be paid withot. delay—as to any thing beyond I have no doubt

John will cheerfully repay it on his return but believe me such is my situation here and has been for some time that I am not able to advance him any money not being able from the public or my private accot. to obtain sufficient to keep me from going into Debt. If I can raise as much as will discharge what I owe here and pay my expences to Virga. I shall return the latter end of next month. We have no particulars yet of what fell into the hands of the French on the reduction of St. Christophers & Nevis nor any account what has become of the fleets since. There are appearances of an accommodation between Holland and Great Britain negociation being to open under the mediation of Russia. We have a report of an embarkation being abt. to take place at New York but to what amount or where destined is not conjectured. Our best respects to Mrs. Hunter. Yr aff Friend & Sevt, Jos. Jones.

[P.S.] Has the Company any choice Madiera. I see they advertise for Sale that & other Wine.

RC (ViU: Hunter-Garnett Papers).

Samuel Livermore to Meshech Weare

Dear Sir Philadelphia 26th March 1782

I have recd. your favour of the 12th instant informing me that Vermont had receeded from their late encroachments.[1] I had heard this frequently by common report; but there is no official account of it in Congress. The Comtee. upon your letter about the 5 million dollers quota of the 8 million have made a report plumply against us.[2]

I have got a day assignd for debate which is next Monday. As I suppose we shall soon hear from Vermont in a manner that will end that tedious business, I hope to see you in May. There is no news from Charlestown since my last. Genl Washington is gone to North river.

I have the honour to be your most obedient servant.

Samuel Livermore[3]

RC (Nh-Ar: Vermont Controversy Collection).

[1] Weare's letter is not in PCC, but for Vermont's recession from some of her previous territorial claims, see Livermore's first letter to Weare of March 12, 1782, note 2.

[2] See ibid., note 1; and Livermore's first letter to Weare of April 16, 1782, note 1.

[3] Livermore also wrote the following brief note to Weare this day.

"I am this moment desird to send you the enclosed [*not identified*] which will speak for it self. My letters being seald & sent to the office." Vermont Controversy Collection, Nh-Ar.

James Madison to Thomas Jefferson

Dear Sir, Philadelphia, March 26, 1782.

A letter has been lately received from you by the President of Congress, accompanied by a bundle of papers produced from the Cherokees by Colonel Campbell.[1] As it appears that these papers were transmitted at the request of the late President, it is proper to apprize you that it was made without any written or verbal sanction, and even without the knowledge of Congress; and not improbably with a view of fishing for discoveries which may be subservient to the aggressions meditated on the territorial rights of Virginia. It would have been unnecessary to trouble you with this, had it not appeared that Colonel Campbell has given a promise of other papers, which if he should fulfil, and the papers contain any thing which the adversaries of Virginia may make an ill use of, you will not suffer any respect for the acts of Congress to induce you to forward hither.

MS not found; reprinted from *The Papers of James Madison*, ed. Henry D. Gilpin, 3 vols. (Washington: Langtree & O'Sullivan, 1840), 1:116.

[1] For Jefferson's letter to Thomas McKean of December 20, 1781, and the "bundle of papers" that Col. Arthur Campbell had taken from the Cherokee Indians during his expedition in January 1781, see Jefferson, *Papers* (Boyd), 6:141, and PCC, item 71, 2:137–222. For the original request for the "Cherokee Archives," see these *Letters*, 17:188. On March 22 Jefferson's reply and its enclosures were referred to a committee of three which apparently issued no report. PCC, item 186, fol. 18.

Massachusetts Delegates to John Avery

Sir Philadelphia March 26th. 1782.

Yesterday we receivd your favour, covering a Resolution of the Genl. Assembly of the 6 instant, directing their Delegates to solicit Congress to adopt speedy & effectual measures for the relief of American Prisoners.[1]

Congress have not been inattentive to the Distresses of our Seamen who are in the power of the Enemy, and have directed Letters to be wrote to Sr. Henry Clinton remonstrating against his Conduct towards them; & we have now Commissioners gone to Elisabeth town,[2] who are directed, among other things, to endeavour to obtain an enlargement, or at lest a better treatment of our people who are prisoners with the Enemy. Letters have also been wrote to our Ministers in Europe, on the same Subject; if these measures do not answer our purpose, Congress will, we trust, make such Retalliation as will force the Enemy to a more humane Conduct.

The Ballance of Marine Prisoners is so much against us, and Still increasing that it is perhaps impossible for us to obtain a full exchange so long at lest as our Privateers are so very inattentive to bringing into port & confining the Prisoners which fall into their hands. Had it not been for this neglect, the evil complained of would have been avoided. However we have ample means in our Power to inforce a better treatment of our Prisoners, & the fault is ours if it is neglected.

You will be pleased to inform the Honl. Assembly that we shall pay Strict attention to their instruction, & contribute what may be in our Power, to obtain the end proposed; but we hope it will be remembered, that unless effectual measures are adopted by the Several States, for bringing in and safe keeping, the prisoners taken by our privateers, we do not see what can be done by Congress which will be effectual for the redemption of our Marine prisoners in the Enemy's hands.

We are Sir with great Esteem, your most obedient, Humbl. Servants,

Geo Partridge in behalf
of the Delegates

RC (M–Ar: Revolutionary War Letters). Written and signed by George Partridge. Addressed: "John Avery Esqr. Secretary of the Commonwealth of Massachusetts, Boston."

[1] For this resolve seeking relief for American marine prisoners, particularly those held in Great Britain, see Journal of the Massachusetts Senate, March 6, 1782, p. 305, DLC (ESR).

[2] That is, Henry Knox and Gouverneur Morris, for whom see Elias Boudinot to Knox and Morris, March 14, 1782, note 1.

Virginia Delegates to Benjamin Harrison

Sir, Philadelphia, March, 26th. 1782

The Superintendant of Finance informs us, that he has sent a Proposition to our Executive which he conceives will answer the object of our motion relative to the supply of Beef.[1]

The latest Advices from Europe assure us of the determination of the british Cabinet to continue the war, & it is believd that the distressing our Commerce will be their principal object with regard to the United States. France & Spain are sending strong reenforcements to the W. Indies; & it is probable they will maintain the superiority of those Seas, in spite of all the efforts of the Enemy.

It is two posts, since we had the honor of a line from your Excellency.[2]

We have the honor to be with the greatest respect, Yr. Excellency's most obedt & most Humble Servts. Jos. Jones

J. Madison Jr.

A. Lee

RC (Vi: Continental Congress Papers). Written by Lee and signed by Lee, Jones, and Madison.

[1] See Virginia Delegates to Harrison, March 19, 1782, note 1.

[2] For Harrison's explanation of this omission, see Madison, *Papers* (Hutchinson), 4:139.

Oliver Wolcott to Laura Wolcott

My Dear Philadelpa. 26 March 1782

I have wrote to you on the 5t and 19t[1] and to Rhina on the 13t of this Month.[2] I have recd. Two Letters from Laura one by Mr. Sheldon and the other by Mr. Duncan. Mr. Sheldon is yet in Town when he will return is uncertain. Laura Says that you expect me home by the middle of next Month. I shall be glad that it may be in my Power to Return by that Time. But I think that the Gentlemen who are to Attend the next summer will not be here before the latter end of April. I have desired them to be here earlier but do not by what I hear from them expect them sooner. But I shall probably write you weekly till my Return and shall be able to inform you farther as to the particular.

I am Very glad to hear that you injoy more Health than you have lately done. I hope that you will take all the Care of it which shall be in your Power. And shall Wish to hear from you by the first Oppertunity.

I have Nothing Very particular to inform you of except that by the devine Goodness I enjoy Health.

As to News We have recd. but little since my last. I think it not improbable that the Enemy will before long evacuate Charles town and bring that Garrison to N York—but this will depend upon what Naval Force they shall be able to spare for the American Service.

My kindest Love to my Children and Friends—And be assured of my tenderest Affection for you. Oliver Wolcott

RC (CtHi: Oliver Wolcott, Sr., Papers).

[1] These brief personal letters to his wife are in the Oliver Wolcott, Sr., Papers, CtHi.

[2] Not found.

John Morin Scott to George Clinton

Dear Sir Philadelphia March 27th, 1782.

Having as We heretofore informed You, defeated the Attempt to saddle our State with the Report a Copy of which We some time since had the Honor to inclose You,[1] Matters now remain open for something to be done, on our part. For this purpose We are Anxiously waiting for the Result of the Legislative deliberations of our State on so interesting a Subject, to serve as a Guide to our Steps. Our Opponents in Congress are now lying *perdu*, waiting a Change in the Representation of the Southern States, which will soon happen, and We know not but to our disadvantages. I have prepared a set of Resolutions turning on general Principles, and in themselves almost self evident, calculated to stand as a Barrier agt. the next attempt in favor of the Grants, and which I shall move as soon, as I can, after having waited a few days longer for some official Tidings from the State.[2]

We have had several strange Manoeuvres for the promoting of General Knox to the Rank of Major General which have at Length succeeded. By this Step Brigadiers Clinton, Moultrie and McIntosh (his Seniors in Office) are disgraced.[3] I was one of the strenuous opposers to this Promotion; the Particular Movements for and against which You will clearly see, and discover the Tempers of the several Members on the Occasion, from the *Journals*, a Copy of which, if the Mail does not close too soon I will here inclose You; otherwise I shall send it by the next Opportunity. I am as sensible as any Man living of General Knox's Merit. But in my Opinion no Merit whatsoever can justify the Promotion of one officer in a Way that disgraces another. It is a Measure unjust in itself. It is moreover highly impolitic as it gives general Uneasiness to the Army. In this Case there are three Brigadiers disgraced, and probably three States affronted. But General Knox, it is said, at the Promotion of Brigadier Deportail over his Head was greatly disobliged, and would have retired from the Service had he not been promoted. That his Services cannot be dispensed with. That his promotion therefore became indispensible. All this may be true, but his Promotion however necessary should have been attended with the like Promotion of his Seniors who, as there are already a Surplus of Majors General, might have been honorable retired or been laid aside on half pay.[4]

MS not found; reprinted from Burnett, *Letters* 6:321–22.

[1] See New York Delegates to Clinton, March 4 and 15, 1782.

[2] See New York Delegates to Clinton, March 29; and Scott to Clinton, April 2 and 9, 1782.

[3] Henry Knox had been promoted to major general on March 22 by a vote of eight

states to three. Scott's motion to promote brigadiers James Clinton, Lachlan McIntosh, and William Moultrie in addition was rejected the same day. *JCC*, 22:27–29, 104–5, 143–48. See also Ezekiel Cornell to Washington, February 12, 1782, note.

[4] Scott also wrote the following brief letter to Richard Varick this day.

"Not till this Moment did I receive your Letter by Mr Taylor—And as I am going to Congress, and the Mail will close at four o'Clock, I must of Necessity defer a particular answer to your favor till another Opportunity. I have not the least doubt of the Sincerity of the Govrs. Friendship. Be pleased to inform him that in a Letter You have received from Me [*Scott to Varick, March 5, 1782*] could wish the Matter I wrote You about could be deferred till my Return to the State. The Affair of your Depreciation I shall write You about particularly by the next Conveyance." Miscellaneous Manuscripts, NHi.

Daniel Carroll to Thomas Sim Lee

Dear Sir, Pha. 28th March 1782

I have to acknowledge yr two favors of instant. You will see by the enclos'd receipt that Mrs Lee's Shoes have been sent to the Care of Mr Buchanan in Baltimore to whom I wrote by the Stage Waggon.

Not having receivd any orders from you about your Curricle it has remaind with the Coachmaker with whom Mr Forrest left it. I shall let you know what can be done with it.

Mr Mullahan is return'd to the City but I cannot obtain a shilling from him. What I give him a receipt for amounted to the sum I was to receive out of what was to be payd in Pha. of the last years sallary, as near as I can ascertain. I do not know to what time exactly the £4 per diem extended. From that Time the guinea per day sets itself, & I presume there is due me to this time about £110 on the last allowance. If I was to receive the whole of that, it woud not pay my necessary expences, but it might enable me to prepare to return. I have wrote to Mr Wright desiring him to inform me whether I may expect him, or not.[1] I shall determine what to do on receiving his answer.

Please to present me to Your Lady. I am Dear Sr with esteem, Your Mo Affte Hble Serv, Danl. Carroll

[P.S.] I have seen Way the Coachmaker since writing the above. He is not certain whether it was £20 or £25 he offerd for your Curricle. He says he wrote to you on the Subject—he is willing to give whatever he then mentiond. I told him I believe you had layd aside the thought of having a Phaeton. He mentiond something of a letter you wrote to Capn. Stoddart about making an allowance about the Chariot.

The Minister of France went some time ago by the Eastern Shore to Virginia. He told me he shoud Call at Annapolis on his return. It was probably very fortunate to him that he made that Journey for yesterday his House was struck with lightning, and damagd exceedingly, particularly his writing room where he might have been at the time. A French Officer was Struck and his Cloathing set on fire so that there is no prospect of his living.

I have nothing new to write since what I said to Mr Carroll by post. I then mentiond something about the Russian Minister—On Speaking to Docr Lee I find his Letter does not mention Count Osterman who is Chancellor but says the Successor of Count Ranning—please to mention this to Mr Carroll. Altho' Count Ranning had retird, it does not appear that he is discharged entirely.

Flour is low & fluctuates from 17 to 19/ per Ct. Good Maryland tobacco sit heavy [. . .] 25/ Per [ ] & in demand.

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] Carroll's letter to Turbutt Wright, who arrived in Philadelphia in late April, has not been found.

New York Delegates to George Clinton

Sir Philadelphia March 29th. 1782

We were honored with your Excellency's Letter of the 20th instant by Major Hale; and doubt not of your Endeavor speedily to procure one of the absent delegates to supply Colonel Floyd's place; which We beg may be done as early in the next Month as possible. Tho, probably there will be as great difficulty in furnishing him with the necessary Money, as there will be in supplying Mr Scott for his Continuance here. When it is considered how much inferior the allowance made by our State is to that of all the other States, We cannot but think our Legislature ought, if a Representation be necessary, to make every Exertion for a bare decent Support of their delegates; who, tho' they chearfully submit to the Loss and Inconvenience necessarily arising from their Absence from home and Neglect of their domestic Concerns, cannot possibly maintain themselves in the public Service at their own private Expence. When the Jealousy of the smaller concerning the larger States, the political Views of three of the New England States to increase their Weight in the Scale of the Union, by the Junction of a new one, which will closely coalesce with them, and the Influence of the private Interest of Many Members or their Friends, who have been land-jobbing under the usurped Government of the Grants are duly considered, we apprehend their can be little cause for astonishmt that Members of Congress, should countenance that usurpation and that Congress itself should suffer persons confessedly their Leaders & Instruments in League with the Enemy, to attend the public Councils &

depart unmolested. It is not even pretended, to be believed that their Negotiations with the Enemy were calculated to deceive them. But it is alledged that the Difficulty of subduing the Grants by the Arms of the united States, the probability that the Attempt would compel them to take an active part with the Enemy, the immediate danger of our State, in such Case, and the Injury that would thence result to the united States in general, are sufficient Inducements in sound policy to countenance and Establish the Independence of the Grants. In short it is easy for Men to find reasons to justify a Measure suited to their Wishes.

We think, Sir, it would be well were we furnished with proofs of the Original & Progressive Extent & Objects of the criminal Negotiations of the Leaders of the Grants, with the Enemy & particularly of the Countenance given by them for recruiting for the British Service. We might perhaps Use them to advantage. We too well know the understanding, Sagacity & Integrity of your informant to doubt any part of his Intelligence and could wish to have it all minutely detailed in proof. And while we place the greatest Confidence in his Information we heartily join with him in Opinion that conciliatory Overtures such as You mention, followed by a spirited and vigorous Exertion of the civil Authority of the State would produce the most happy Effects, by enabling the Friends to our Govt. to shew themselves and vindicating our public Conduct to the World. These Steps notwithstanding the sinister Views of too many, it is to be hoped would induce Congress formally to pronounce agt. the Independence of the Grants. We are happy to find that our Legislature are disposed to pursue every Measure calculated to restore peace and good Govt. in that Quarter. The Acts You mention meet with our hearty Approbation because they will in our Opinion have the salutary Effects You expect. But we beg Leave to suggest that perhaps, however justly the Conduct of some may deserve the severest punishment, sound policy may forbid any Exception in the Act of Grace to make it more palatable to some in high Station who have countenanced the Revolt & Treason of the Grants.

We heard of the narrow Escape of Allen & Fay. Laying aside our Just Resentments, it may, peradventure, have been better so, than otherwise.

Having foiled our Adversaries in the attempt to carry into Execution the Report of the Committee of last to establish the Independence of the Grants,[1] within the bounds therein limited we most impatiently wait for the Concurrent Resolutions of our Legislature. For tho nothing has since been attempted agt. Us; yet we know their Advocates only wait for a Change of Members to renew the Attempt. This Change will shortly happen. We therefore wish for those Resolutions & every Conciliatory Step of our Legislature that We may anticipate the renewal of the Subject.

In a Conference with the Secretary at War he advised that the State should exercise the Authority reserved to them in the Articles of Confederation by appointing Colonel Willet to his former Continental Rank which he said had been done in other Instances; & assured us that on being certified of this, he will do every Thing necessary on his part, and will by Letter to the Commr. in Chief (which he flatters himself with take Effect) endeavor to have the Command on our Frontiers so arranged, if it be requested by our Governmt. that Colonel Willet shall have no superior but a General Officer in that department of Service.[2]

Colonel Vanschaick's affair is also in good Train with the Secry.[3] He considers him and several other Officers as greatly injured by the promotion of General Hazen; and tho' he does not much like Brevets, he thinks it in the present Instance but a just Expedient to restore the Colonel to his Rank. These he say are his present Sentiments, that Congress should either thus reinstate him, which can be done without any Expence to the public; or permit him to retire on the expected Emoluments. The latter however we think would be a precarious dependence; because several of the States are determined agt. an half pay establishment; we shall therefore indeavor very shortly to obtain his matured Sentiments on the former; and should they be in its favor, We will move it in Congress. In the Interim we should be glad to be informed whether, if we should not succeed, the Colonel would wish to risk retiring on half pay.

We inclose a Copy of the Journals of   on the Subject of promotions to the Rank of Major-General.[4] They speak plainly for themselves; and therefore need no Comment. We wish General Clinton may be immediately informed of them. Brigadiers Moultrie & McIntosh who are both on the Spot are much mortified by the preference they exhibit. They mean speedily as we are informed to signify it to Congress. We think they may be prevailed on to suspend this Step for a short Time; and should General Clinton Incline to make common Cause with them, We wish to be furnished by him without delay with the Means of doing it—a Memorial from him to Congress on the Subject may perhaps be proper.

The new Commissioners from the Grants are arrived[5] and their Accession to the Terms of August last is known, tho' not announced to Congress. It has leaked out that the Changes in that country are favorable for Us; & that their Leaders are held in detestation. A Short Time will perhaps furnish Us with particulars which We shall not fail to communicate.[6]

We are your Excellency's most obedt. and humble Servts.

Wm. Floyd.[7]

Jno. Morin Scott.

FC (NHi: Duane Papers). In the hand of John Morin Scott. Tr(MH-H: Sparks Collection). Closing and signatures taken from Tr.

[1] That is, the "Report of the Committee" recorded in the journals of March 1. *JCC*, 22:104–14. See also Samuel Livermore to Meshech Weare, February 19, note 2.

[2] See New York Delegates to Clinton, March 12, 1782, note 3.

[3] Secretary at War Benjamin Lincoln did recommend that Col. Goose Van Schaick be allowed to retire with the benefits provided by congressional resolves of October 3 and 21, 1780, but Congress rejected the proposal on May 21. *JCC*, 22:287–88.

[4] That is, of March 22, when Congress promoted Henry Knox but rejected motions to promote brigadiers James Clinton, Lachlan McIntosh, and William Moultrie. *JCC*, 22:143–48.

[5] That is, Jonas Fay, Moses Robinson, Paul Spooner, and Isaac Tichenor. See *JCC*, 22:157.

[6] See Scott to Clinton, April 2, 1782.

[7] William Floyd also wrote the following brief note on March 27 to the executive Council of Pennsylvania on behalf of Ebenezer Dayton, who was seeking a privateering commission.

"This may Certifie that the within Mentioned Ebenezer Dayton was my neighbour on Long Island and that the facts Set Forth in the petition Respecting himself so far as they have come to my knowledge are true." Bamberger Autograph Collection, NjHi.

Elias Boudinot to Nathanael Greene

Dear Sir, Philadelphia March 30t 1782

My very particular Friend Capt. Hutchins Geographer to the united States, being ordered for the Southern Army under your Command, I take the liberty to recommend him in the most special Manner to your Notice. If a Knowledge of this Gentleman for upwards of fifteen Years in which he has supported a most unexceptionable Character both as a Gentleman, an Officer and an undaunted Friend to his Country, will warrant my using this Freedom, I am fully justifyed.

His abilities as an Engineer, have been long acknowledged in the British Army, and you may depend on his being thoroughly qualified for the department at the Head of which Congress have most judiciously placed him.

You will find him a Gentleman of great Candor, Integrity & Firmness. Any Civilities you may think proper to shew him, will be allways acknowledged as done to, My Dear Sir, Your most obed Hbl Ser.

Elias Boudinot

RC (PHi: Dreer Collection).

James Madison to James Madison, Sr.

Hond Sir Philada. March 30th 1782

Mr. J. Walker has safely delivered to me three letters from you attended with the money therein specified. He has also been so obliging as to undertake the conveyance of the several articles of Medicine you wanted with a gallon keg filled with good Port wine; to all which I add a large packet of Newspapers— and an Almanack. The last packet I sent was by a waggon returning to your neighbourhood which brought me a letter from Mr. W. Maury; By which I sent at the same time a small supply of Bark for my Mother.

I mentioned to you in one of my former letters that I had a prospect of getting on very favorable terms a few scarce books from a library brought hither for sale by Col. Zane.[1] My purchases of him have amounted in the whole to Nineteen pounds three shillings of this currency.[2] As I had not the money here for him, & he could not conveniently wait till it would be convenient for me to pay him, I was obliged to give him a draught on you. I hope you will be able to find means to satisfy it. If it can not be otherwise done than by a deduction from the further supply you have in contemplation for me I must submit to it. How far I shall depend on you for the resources necessary for my expences here not included in the legal provision, and for the arrearages into which I have unavoidably fallen, will be known as soon as the Assembly have finally decided on our accounts & the allowance which is to be made to us. This I suppose will be done at their Session in May next. Unless liberal principles prevail on the occasion, I shall be under the necessity of selling a negro.

I have not time to provide for this opportunity the information relative to the Copper plates.

The newspapers give you in general the intelligence we have from Europe. As far as we are enabled to Judge of the views of the British Cabinet, the misfortunes of one more campaign at least will be necessary to conquer their obstinacy. They are attempting a separate peace with the Dutch & talk of suspending their offensive war agst. us, & directing their whole resources agst. the naval power of France & Spain. If this be their real plan we may be sure they do not mean by it to abandon their pretensions to the U. States but try another mode for recovering them. During their offensive exertions agst. our Ally, they can be practising insidious ones agst us, and if in the first they should be successful, & in the latter disappointed, a renewal of a vigorous war upon us will certainly take place. The best security agst. every artifice & every event will be such military preparation on our part as will be sufficient either to resist or expell them as the case may require.

With my affectionate regards for the family, I am Kind Sir Yr. dutiful son,

J. Madison Jr.

RC (DLC: Madison Papers). Madison, *Papers*, (Hutchinson), 4:126–27.

[1] In March 1778 Col. Isaac Zane, Jr., had purchased for £2,000 from the widow of William Byrd III his entire 4,000-volume library, which was shipped in 40 wagons to publisher-bookseller Robert Bell in Philadelphia who advertised and sold 40 percent of the library between October 1781 and October 1782. See Madison to Madison, Sr., February 12; and Edwin Wolf, "The Dispersal of the Library of William Byrd of Westover," *Proceedings of the American Antiquarian Society*, 68 (April 1958): 22–23, 44.

[2] At this point Madison Sr. wrote in the margin "£15.6.5," probably to indicate the difference in price between Pennsylvania and Virginia currency.

Thomas Smith to Arthur St. Clair

[March 31, 1782]

31st. P.S. I heard it yesterday announced in full Divan, consisting of two old Maids—two others not very young & two ancient Married Ladies that Miss St. Clair is to be Married in a few Weeks, previous to which General St. Clair is to return, & may be expected in a few Days.

I have just seen an Abstract of the proceedings of your Assembly, in which I believe there is something to applaud,[1] & I hope the event will shew that there is not so much to censure, as a Philosopher (who only considers things in the abstract) may conclude; the People of Carolina have suffered so much that I am not surprised, their minds are highly inflamed, & you know that prudent actions are not always produced by an enraged mind.

April 1st. And the bearer is not yet gone, which gives me the opportunity of acknowledging yours by Dr. Ramsey whom I expect to see tomorrow. A fig for your Gardens in full bloom, I enjoyed the treasures of the sun without his charge when I wrote the foregoing under a Lemon Tree whose boughs were bent down with mellow fruit, the rich juice of one of which very much refreshed me when I had finished. I ride out to Schuylkill every Evening & return in the morning, which I believe agrees with me very well, as I was weighed yesterday, & so far from being found wanting that I find Matrimony has added 17lb. to 168lb. which I weighed before; is not this an important communication.

RC (OHi: St. Clair Papers). A continuation of Smith to St. Clair, March 25, 1782.

[1] An item had just been printed in the March 30 issue of the *Pennsylvania Packet* concerning the recent arrival in Philadelphia of South Carolina delegate David

Ramsay and reporting that during its February session the South Carolina Assembly had "adopted such vigorous and effectual methods for completing their continental battalions, that, in all probability, they will have their full quota in the field by the first of May." St. Clair had joined Gen. Nathanael Greene in South Carolina with 2,000 Continental reinforcements in January 1782.

Arthur Lee to George Washington

Dear Sir, Philadelphia April 2d. 1782

I enclose your Excellency the latest account that has been receivd here of European Politics.

The Governor of Virginia writes us—that a Vessel just arrivd from the W. Indies informs, that Count de Grasse has totally defeated the English fleet; taken or destroyd 4 sail of the line, & 100 sail of Transports with 3,000 troops on board. His Letter is dated the 23d ult.[1]

I beg my respects to Mrs. Washington, & have the honor of being, with the greatest esteem, Yr. Excellency's most obedt. & most Humb. Servt.

Arthur Lee

RC (DLC: Washington Papers).

[1] For which see Madison, *Papers* (Hutchinson), 4:114.

James Lovell to Nathanael Greene

Sir, Philada. April 2d. 82

On my reaching this City last Evening after a Visit to my Family from which I had been seperated more than 5 Years, I was made very happy by that Testimony to my Son's merit which you had been so kind as to send me in your Letter of Jany. 28th. I am not however without the Alloy of an Apprehension that he is sick because I hear it so reported in this City and I have not had a Line from under his Hand a long, long Time.

I shall be careful to forward your Letter to our Friend Mr. John Adams.[1] Your Anecdote respecting the Interruption of Correspondence between you & him is new to me; and is what I have never had Reason to suspect from the Tenor of his Conversations with me when your Name & Character have made the Subject of them. Continue I entreat you to endeavour to be useful to him. He must be greatly changed from what he was, if he does not strive to repay you in Kind.

Mr. Mott[2] is better able than I to make Communication to you of what Intelligence Congress has lately had from Europe.

It is more easy and much more suitable for me in the present moment to lament that while I present my Respects to your Lady, I am not personally known to her, than it would be to recapitulate the various Incidents which combined to prevent my having that Pleasure when She was in this City. I only partook of the general Pain which the Knowledge of her Indisposition during Part of that Period, excited in Philadelphia.

April 5th. I shall not have the Opportunity of paying my Acknowledgements to you any more *from this Place* for your Civilities & Friendship to my Son. Gratitude, I hope will not forsake my Bosom in any Lattitude of the Globe. Some Circumstances have arisen within a few Hours which make it my indispensable Duty to return to a Residence with my dear Family. My domestic Sensibilities, naturally very strong indeed, have not been left alone to operate this Decission. They have been aided by the Advice of Persons strongly attached to the public Cause, and who are continuing to make Sacrifices of that Tranquillity which I am in some measure pursuing. I say in some measure, because I shall still have a Portion of the Perplexities of public Office.[3]

With a Renewal of my Wishes for your Safety, Prosperity & Honour, I assert myself, Sir, Your Friend and Humble Servant,

James Lovell

RC (MiU–C: Greene Papers).

[1] Probably Greene's January 28, 1782, letter to John Adams seeking to renew their correspondence. See Lovell to Greene, December 17, 1781, note 2.

[2] South Carolina delegate Isaac Motte, who obtained leave of absence from Congress on April 3, probably delivered this letter to Greene. See Arthur Middleton to Aedanus Burke, April 7, 1782, note 2.

[3] Immediately after Lovell's return to Congress on April 3, Robert Morris offered Lovell the position of receiver of continental taxes in Massachusetts. According to Morris, Lovell did not immediately accept the offer, because of "the Delicacy of his Situation as a Delegate," but did not hesitate long, as two days later he notified Morris of his acceptance of the post. Lovell took his second and final leave from Congress on April 15. See *JCC*, 22:161, 183; and Morris, *Papers* (Ferguson), 4:512–13, 522, 551, 569–72.

James Madison to Edmund Pendleton

Dear Sir Philada. April 2d. 1782.

The only event with which the period since my last has enabled me to repay your favor of the 25th Ulto.[1] is the arrival of four Deputies from Vermt. with a plenipotentiary commission to accede to the confederacy. The business is referred to a Committee who are sufficiently devoted to the policy of gaining the Vote of Vermont into Congress. The result will be the subject of a future letter.[2]

The thinness or rather vacancy of the Virginia line, & the little prospect of recruiting it are subjects of a very distressing nature. If those on whom the remedy depends were sensible of the insulting comparisons to which they expose the State, & of the wound they give to her influence in the General Councils, I am persuaded more decisive exertions would be made. Considering the extensive interests & claims which Virga. has, & the enemies & calumnies which these very claims form agst. her, She is perhaps under the strongest obligation of any State in the Union to preserve her military contingent on a respectable footing, and unhappily her line is perhaps of all in the most disgraceful condition. The only hope that remains is that her true policy will be better consulted at the Ensuing assembly, & that as far as a proper sense of it may be deficient, the expostulations of her friends and clamours of her enemies will supply the place of it. If I speak my sentiments too freely on this point, it can only be imputed to my sensibility to the honor & interest of my Country.

I am Dr Sir yrs. very sincerly. J Madison Jr

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:130–31.
[1] Not found.
[2] See Madison to Pendleton, April 23, 1782.

John Morin Scott to George Clinton

Dear Sir, Philadelphia March [April] 2d 1782.

I am this Moment come from a most animated debate in Congress; which produced an hasty adjournment; and *that* will probably produce a still more animated debate to morrow. The Subject was this—Yesterday were laid upon the Table and read a Letter from the new Commissioners from the Grants to the President of Congress with a duplicate Commission to them and the Resolutions of the Pretended Legislature of the Grants releasing and relinquishing their Eastern and Western Wings in the Terms prescibed by the Resolutions of Congress of August last.[1] On reading the Letter a Motion was made that the said Letter and papers together with every other paper which had been recd. by Congress Since the 20th Augt. last on this Subject should be committed. Upon this Question the Yeas and Nays were called for by Me; and the Question was carried for the Affirmative. A Committee of five was moved for and carried. And to the dishonor of the Majority four Members were balloted in, who have been avowed favourers, and I may say open Supporters of the Claim of independence by the People of the Grants, and one New Hampshire Delegate—All this with evident design to exclude New York and the Southern States from the Committee. This sinister purpose I mean to endeavor to elude by endeavoring to get the Committee enlarged to a Grand Committee to consist of a Member from each State. But to return to the Subject of this day's debate. On reading the Journals of yesterday pursuant to a standing Rule of the House they were found defective in this Instance to wit; that tho' they contained a recital of the Letter from the Commiss'rs yet no other papers referred to by the Motion and resolution were entered on the Journals. Which we contended, as the Motion and resolution were founded not on oral but written Matters and the Yeas and Nays were called for, ought to have been entered *in hac Verba;* and this Diminution of the Journals was the Ground of the debate. I had these Reasons for insisting on the Insertion of all the Papers referred to, to wit; the abovementioned Letter asserts that the State of Vermont had in every instance endeavored strictly to conform with the Resolutions of Congress; while a Letter from Mr. Chittendon recd. by Congress since the 20th of Augt. last, and a Resolution of their Legislature inclosed therein, and which were omitted out of the Journals, contained an express Rejection of the Overtures made by Congress in Augt. last, By which not only the first abovementioned Letter was falsified, but the Rejection contained in the Second excluded the Grants from the Benefit of their after-Compliance with those Overtures. One of the papers omitted was the Concurrent Resolutions of our Legislature of October last, which have never yet been, and I wish now to have properly inserted in the Journals.[2] My Reason for supposing that to morrow's debate will be still more animated, is, that from the Want of Candor in our Opponents, I fear they will insist that it will be too late to morrow, to rectify the Journals. In short tho' there are a respectable Minority in Congress bent on aiming at securing Justice to our State; yet it is evidently the fixed and setled purpose of the Majority to sacrifice its Rights on the Altar of the Independence of Vermont. As Justice is not to be expected from this Quarter I hope the State will do Justice to itself. Be please[d] to excuse the Want of transcribing as I fear the Mail will be closed. And believe Me tho' in haste to be with not the less Sincerity and Esteem, Dear Governor, Your Excellency's most obedt humble Servt,

Jno. Morin Scott.

[P.S.] Please present my Compliments to Col. Varick and inform him I bro't his Affair before the Committee of the Week this day.[3]

MS not found; reprinted from Burnett, *Letters*, 6:324–25.

[1] Although a letter from the new commissioners from Vermont (Jonas Fay, Moses Robinson, Paul Spooner, and Isaac Tichenor) was received and referred to committee on April 1, there is no entry in Secretary Thomson's journals for April 2. See *JCC*, 22:157–61; PCC, item 40, 2:273–76; and Walton, *Records of Vermont* 2:386–87.

[2] The New York delegates attempted unsuccessfully to have the "Concurrent Resolutions of our Legislature" entered on the journals on April 3, but succeeded in their request the following day. See *JCC*, 22:161–73.

[3] See Scott to Varick, April 9, 1782.

Virginia Delegates to Benjamin Harrison

Sir, Philadelphia April 2d. 1782

We had the honor of receiving your Excellency's letter of the 23d ult. with the Papers for Congress which we shall present.[1]

We are obliged to your Excellency for your intelligence from the W. Indies, which we hope will be confirmd. Mr. Foster Webb will receive every assistance we can give him.[2]

The Copies enclosd[3] will inform your Excellency of the arrangement made at the war-Office, relative to the arms and clothing for the Recruits of our line. We are apprehensive, that in the present state of things, it will not be enough for the recruiting Officer to assure the People that Clothing will be ready at the Rendezvous, for those that enlist; but that he must have some Uniforms with him to convince it is not an imposition, & that they will not suffer, as others have done, for want of Cloths. But your Excellency will be better able to judge whether this is necessary; & therefore we shall not press for the Clothing to be sent previous to the Recruits being raisd, 'till we have the honor of hearing from you.[4]

We enclose a Resolution of Congress, for retaking such of the british Prisoners as may have escapd from confinement.[5]

With the greatest respect, We have the honor to be, Yr. Excellency's most Obedt. & most Humbe. Serts. J Madison Jr.

A. Lee

Jos. Jones

RC (Vi: Continental Congress Papers). Written by Lee and signed by Lee, Jones, and Madison.

[1] For Harrison's letter, with "Papers for Congress" concerning the seizure in North Carolina waters of the British Schooner *Three Friends* by a Virginia privateer (Capt. Cornelius Schermerhorn), which had precipitated a dispute between governors Harrison and Thomas Burke of North Carolina, see Madison, *Papers* (Hutchinson), 4:114, especially n.1 and 2; and Randolph B. Campbell, "The Case of the *Three Friends*: an Incident in Maritime Regulation During the Revolutionary War," *Virginia Magazine of History and Biography*, 74 (April 1966): 190–209. In a letter of March 22, enclosed with the above, Harrison had appealed to Congress to review the case, especially since the Virginia admiralty court had already condemned the prize. The committee that was assigned Harrison's letter on April 4 reported on the 23rd but its report was apparently assigned on May 29 to a new committee whose report has not been found. The case of the *Three Friends* appears to have been caught up in the larger issue of preventing illicit trade with the enemy, however, and on June 14

Congress appointed a committee of eleven to consider the matter, but on the 17th reassigned it to a smaller committee, chaired by James Madison, which reported on the 19th. On June 21 Congress adopted an ordinance prohibiting trade with the enemy by land. *Official Letters of the Governors of the State of Virginia*, ed. H.R. McIlwaine, 3 vols. (Richmond: Superintendent of Public Printing, 1926–29), 3:177; and PCC, item 186, fols. 20, 31, 36, item 191, fol. 13. For Congress' June 21 resolution against illicit trade, see John Hanson to the States, June 24, 1782. For a similar Connecticut case to which Congress responded with a May 21 resolution authorizing state executives to suspend privateer commissions in the event of illicit trade with the enemy, see Charles Thomson to the States, May 23, 1782.

[2] To replace state papers lost in Benedict Arnold's raid, the Virginia Council had hired Foster Webb, Jr., to transcribe from the papers of Congress "all Letters of importance" between Virginia and Congress, the commander-in-chief, and the Continental boards of treasury and war prior to January 1781. See *Journals of the Council of State of Virginia*, ed. H.R. McIlwaine, 3 vols. (Richmond: Virginia State Library, 1931–52), 3:62.

[3] That is, of their April 1 letter to Secretary at War Benjamin Lincoln and his reply. "The success of recruiting in Virginia," the delegates wrote to Lincoln, "will very much depend on the State having Arms & Cloathing for the Men that may be raisd. We therefore beg you will inform us, what supply of these Articles the State may depend upon from your department." Continental Congress Papers, Vi. For Lincoln's reply, see Madison, *Papers* (Hutchinson), 4:128.

[4] For Harrison's response, see ibid., p. 149.

[5] For the March 30 resolution proposing an $8.00 reward for the recapture of each enemy prisoner and punishment for those harboring escapees, see *JCC*, 22:154–56.

James Lovell to Nathan Brownson

Philada. April 5th. 1782

Your Excellency will, I am sure, do Justice to the Sincerity of my warmest Wishes for your Health and Honour while you suppose those Wishes to spring from my personal Attachment to you. It is for me only to judge properly how far more greatly they have sprung from my Attachment to the Confederacy and from my Hopes of the Prosperity of Georgia.

While I forward to you the Prayers of an handsome young Widow[1] you are not to conceive that I am, at this age, of my Life, governed so much by my Devotion to her Sex as by a Desire to hear her & her Connexions speak with Pleasure hereafter of that Justice & Benevolence which I know to exist in the Bosom of one of my Friends who himself has had the Benefit of Fortunes *cruel* Instructions to enable him to judge rightly in the Case which is now presented to him by his affectionate Friend & Servt.

James Lovell

[P.S.] As I am about to quit intirely a Station here, the Secretary at War with whom lives my third Son,[2] will convey to me by sure & œconomical Ways any Informations with which your Excellency is pleased to favor me.

J L

RC (NNPM: Signers of the Articles of Confederation).

[1] Not identified.

[2] That is, John Lovell, a clerk in the office of the secretary at war. PCC, item 149, 2:397.

Arthur Middleton to Aedanus Burke

My dr. Sir

Pa. April 7th. [1782]

Your favr. of the 25 Jany. came safe to hand,[1] & I take advantage of the return of Col. Motte to present you my Acknowledgts.[2] for yr. kind remembrance of me. The Strong Outlines you have drawn of the mellancholy real Situation of our Country in all points correspond exactly with what my anxious imagination had formed, whenever reason & reflexion led me to consider an Object allways uppermost in my mind; the picture is easily fill'd up, it is a melancholy one, & I fear with you that nothing but Time & skillfull management can restore that firm, orderly, & composed mode of proceeding so essential to establish the publick Happiness which is or ought to be the wish of all. I have much confidence in the Ability & Integrity of the men chosen to conduct affairs. I think I know the purity of their Intentions & I trust their Councills may yet lead us to prosperity.

Upon mature Consideration of all Circumstances; of the unmerited Sufferings of so many, & of the resentments necessarily rous'd in a people whom I know to be naturally generous & Sensible, I rejoice that matters have been Conducted with so much moderation & Temper; tho' I could have wishd the Idea of *Confiscation* had been totally abolish'd, or at least put off till entire secure possession [*of the*] Country had restor'd Tranquillity, & the publick mind was free & open to the guidance of cool dispassionate reason.

Your Sentiments upon the Subject are those of the Patriot & the friend of human Nature, & I wd. there had been more of your way of thinking—upon a thorough Investigation of this mode of Punishment, even in Cases of Treason, I have been & am principled against it; I cannot approve of the inhuman Sentence of visiting the Sins of the Fathers upon the guiltless women [and] Children, notwithstanding the sacred Authority which may be quoted for it. It is a Doctrine suited only to the Climates of Despotism, & abhorrent to the dignified Spirit of pure & genuine republicanism. In the Eye of reason the Individual shd. stand or fall by his own Actions, & those connected should be involved in the punishment no farther, than they have been partakers in the Crime. Banishment of the Individual, & a deprivation of the Benefits of Citizenship & property for life are surely sufficient both as a punishment & a prevention of Crimes.

without reducing a whole family for the Sin of one to misery & destruction.

Here my friend you have my Thoughts upon an Interesting Subject which concerns the good of mankind.[3]

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] For Burke's January 25 letter, in which he solicited Middleton's opinion about the confiscation bill then before the South Carolina assembly, see *SCHGM*, 26 (October 1925): 190–95.

[2] Isaac Motte obtained leave of absence from Congress on April 3. *JCC*, 22:161. He apparently left Philadelphia this day for South Carolina.

[3] This day Middleton also drafted a letter to an unidentified "L[or]d F." as "Testimony of my duty & gratitude," obligations apparently incurred during his years of education and travel abroad, 1754–63, 1768–71. "Next to the obedience due the Dictates of my own Conscience," Middleton continued, "it has ever lain nearest to my heart so to regulate my conduct as to wish your Approbation. I shall still be governed by the same motives, & trust I shall retain it to our Life's end—at parting with my Brother I entreated him to present my Duty to you, & to acquaint you that my mind was thoroughly at Ease with regard to my own fate: This I hoped would operate as a Balm to your affliction upon my Account.

"To the many anxieties for my dearest Connections, the knowledge of your Ill health & Troubles have added grief indeed. Mr. R can tell how much I have felt for you. I am now anxious [for my?] Br[other]—in short our day seems to be crowded with Troubles & I flatter myself their Period is nearly closed. . . ." Middleton's draft of the letter, partially in his personal shorthand, is in the Middleton Papers, ScHi.

Arthur Lee to James Warren

Dear Sir, Philadelphia April 8th. 1782.

I venture so far to trespass on your goodness as to beg the favor of you to get the interest from your Treasury, due for two years upon the inclosd 629 Dolls. of the one for forty emission of your State,[1] & transmit the money to me by the first safe opportunity. I must also trouble you with keeping the Bills themselves for me; that they may be ready to be disposd of, or to draw the interest as hereafter may appear most beneficial.

You will oblige me much, by letting me know, whether, the grant made me by your Assembly has been located, or in what state it rests.[2]

It gave me great pleasure to hear, that you & Mrs. Warren were settled so near Boston, & at so beautiful a Seat as that of the late Govr. Hutchinson. It has not always happend in like manner, that the forfeited Seats of the wicked, has been filld with men of virtue. But in this corrupt world, it is sufficient that we have some examples of it for our consolation.

The detection of Mr. Deane, seems not to have drawn any punishment nor even odium on those who countenancd & profited by his wickedness. Among these Dr. Franklin & Mr. R. Morris, are the most conspicuous. The latter was obligd to acknowlege in the Newspapers that he was in partnership with Mr. D. but pretended he thought him a man of honor. The Doctor by Letters of the strongest recommendation endeavord to deceive Congress into a renewal of their confidence in him, with a new & important appointment. There are Letters in town from Mr. Searle, late member of Congress, declaring that he has been repeatedly scandalizd by hearing Mr. Deane utter the abuse against America & France, which is containd in his intercepted Letters, at Dr. F——'s table, without any reprehension from the Doctr. Under all these suspicions, Dr. Franklin is appointed one of the Commissioners to negociate a peace, because France wills it; & Congress are complaisant enough to say—they trust in his zeal & integrity. God forgive them!

The Fishery, I am afraid, is the object & will be the sacrifice of this appointment. This question will come on in Congress, & I think your ablest members shoud be here. But Instructions from Congress will avail little, if a corrupt Commissioner is entrusted with them, who certainly never meaning to return to this Country, will feel himself very easy about our reproaches, while he is enjoying in France the reward of his treachery. I know from what passd at the treaties we concluded, that to monopolize the Fishery is the object of France, & I am most sure that Dr. Franklin will be the instrument of effecting it.

The members from your State, & from Connecticut, seem desirous of admitting Vermont into the Confederation; but it appears very doubtful, whether this can be done agreable to the Confederation or consistent with true policy. The small States, upon this precedent, may dismember the great ones; or as they have an equal voice in proportioning the Quotas, may combine together to burthen the larger States with the whole expence. To acknowlege their independence without giving them a voice in Congress woud answer I conceive every purpose of attaching them to our cause, without hazarding our union by admitting them a member of the confederation.

Please to remember me to Mrs. Warren who I hope feels the benefit to her health & spirits, of better Society & a more healthy situation.

I have not time to write to our friend Mr. S. Adams, but be so good as to assure him that I remember him with unalterable respect & affection. Genl Ward, Mr. Otis, & all our worthy friends have my best wishes.

I am, with the truest esteem, Dear Sir, yr. most Obedt Servt,

A. Lee

RC (MHi: Warren-Adams Papers).

[1] Lee also sent Warren a list of these bills on April 15 with the following brief

explanation: "This is only to inform you, that I wrote you fully by Mr. Oliver Phellps of Boston, & enclosd 629 Dollars of the Emission of your State on which I begd the favor of you to get the Interest from your Treasury." Warren-Adams Papers, MHi.

[2] In his July 1 acknowledgement Warren informed Lee that the Maine land granted to him in compensation for his pre-war services as Massachusetts agent had "not been located," but that a new legislative committee had been appointed to investigate the matter. See Richard Lee, *Life of Arthur Lee, LL.D.*, 2 vols. (Boston: Wells and Lilly, 1829), 2:277–78; and these *Letters*, 10:4n.3.

Maryland Delegates to Thomas Sim Lee

Sir, Philadelphia Apl. 8th. 1782

We have been honord with your Letter of the 5th Inst.[1] The Secretary at war has been Spoken to about the arms, & cloathing since his return from Boston. We expect you will hear from him by this Post on that subject, if not satisfactorily, we shall be glad to receive your directions.

The Waggons are to leave Town this day with the cloathing.

The Clothier Genl informs us, that the Cloathing for the Southern army will be forwarded immediately agreable to Genl Greens requisition.

We beg leave to refer you to the enclosed Letter from one of the Invalid Corps.[2]

We have the honor to be with great esteem, your Excellys. Most Obt Serts,

John Hanson

Daniel Carroll

RC (MdAA: Pforzheimer Papers). Written by Carroll and signed by Carroll and Hanson.

[1] For Lee's April 5 letter on clothing for Maryland troops, see *Md. Archives*, 48:122. See also Maryland Delegates to Lee, March 12, 1782, note 1.

[2] Not identified.

Jonathan Elmer to Ebenezer Elmer

Dr. Brother[1] Philada. 9th April 1782

Yours of the 24th ultimo I received last Week. I am not positive, but think one of the State Notes you left with me was in Lieut. Buck's name. When I return home I will examine & inform you with certainty.

I expected before this time to have heard something from you on the Subject of Glassworks. Mr. Mulford is determined to go on in erected the works talked of when you was down. Ephraim Seeley & myself are the only persons at present engaged. Mr. Mulford expected you to write to him from Trenton & let him know whether you was determined to be concerned, but when I left home he had received no intelligence from you. For my part I have very little expectations from the undertaking & go into it with reluctance.

I am yours &c. Jonathn. Elmer

RC (PHi: Dreer Collection). Addressed: "Dr. Ebenezer Elmer, Regimental Surgeon, Jersey Line."

[1] Ebenezer Elmer (1752–1843) of Cumberland Co., N.J., had served as a surgeon in the New Jersey Line since 1777 and later served in the New Jersey Assembly and the United States Congress. *DAB*.

Samuel Livermore to Nathaniel Peabody

Dear Sir, Philada. 9th Apl. 1782

I am favd wth. yours of the 25th Feb by Gen. Hazzen, and am glad to hear that your health is mending: I hope you will soon recover it. I have enclosed the acco you desir'd.[1] I am in hopes to leave this place by the first of May. Mr Loveell lately returnd from Boston will leave Congress for an appointment at home. Partridge is going home soon. Ozgood is here. I dont know who we shall have from Massa. I think Vermont will at last obtain her independence. New York and the Southern states strongly oppose it. I have been informd of the appointmt. [of] Col Walker, J.T. Gilman, Mr. Langdon; but why dont they come on.[2] I wish to see some one before I leave the City.[3]

Give my love to your family. I am your friend & most obedt. humble Servant, Sam. Livermore

RC (NhHi: Peabody Papers).

[1] Not identified.

[2] Woodbury Langdon had been elected a delegate on December 29, 1781; John Taylor Gilman and Timothy Walker on January 15, 1782. Only Gilman, who began attending Congress on June 20, served as a delegate in Philadelphia in 1782. See *JCC*, 22:338; and *N.H. State Papers*, 8:923, 929.

[3] For Livermore's resignation from Congress, see Livermore to Meshech Weare, April 29, 1782.

James Lovell to John Hancock

Sir, Philada. April 9. 1782.

Since my Arrival on the 1st of this month, some Events have taken place which render it so indispensably necessary for me to return to Boston that Mr. Partridge whom I was to relieve, has consented to tarry here in the Duties of the Delegation a few Weeks longer.[1] I entreat your Excellency, to endeavour to prevent my being exposed to the Censure of depriving the State of a Voice in Congress by so very unexpected a Retirement. I hope, Sir, you will be able to influence one of the Gentlemen who have been elected Delegates to come forward in such Season as that Mr. Partridge may be releived by the 1st of May.

I cannot look back to what must have been a great motive of the General Assembly which first placed me in the List of Delegates without flattering myself that the Determination I have now made will be fully approved, if I am so fortunate as to find the only apprehended ill-consequence of it prevented by that Influence which I have had the Honour to ask you to exert in Favour of, Your Excellency's obliged humble Sevt. James Lovell

RC (M–Ar: Revolutionary War Letters).

[1] George Partridge remained in Congress until May 20, while Lovell left Congress on April 15 to accept the office of receiver of Continental taxes in Massachusetts. See *JCC*, 22:278; and Lovell to Nathanael Greene, April 2, 1782, note 3.

James Madison to Edmund Pendleton

Dear Sir Philada. April 9th. 1782

The paper of this morning will make a small but high seasoned addition to the treat afforded you by our last parliamentary intelligence.[1] A French frigate is lately arrived at Rhode Island which has brought despatches for the Chevr. de la luzerne, the contents of which are not yet disclosed. The Cargo of the Frigate is said to be coin for their army. She was destined for Chesapeak, but unluckily chased into another port.[2] It is added that she sailed from Brest with a large fleet under de Guichen who had repaired the havoc of Kampenfelt & the storm and was proceeding for the West Indies. Our Intelligence from this last quarter seems to authorize an expectation that a powerful descent has before this been made on Jamaica, by the combined armaments of France & Spain.

A more authentic copy of the Capitulation of Brimston[e] Hill supplies an omission which excited some little surprize. The Garrison is expressly restrained from serving agst. the *Allies* of France as well as against the King himself whose name alone was inserted in the copy first brought hither. Whether this omission was mere mistake in the English Printer or one of those little dirty frauds which they have so often practised is uncertain.

A Flag from N. York with Cloathing for the British Prisoners is just arrived here. On a search into the Contents Unlicensed goods to the amount it is said of several thousand pounds value have been discovered. Other Flags we are told are gone on to Maryland &

Virginia. I hope equal vigilance will be employed with respect to them.

I have nothing to add from within doors. No step is yet taken on the subject of Vermont.

With great regard I am Dr Sir Yr. Obt Friend & servt.

J. Madison Jr

Reprinted from Madison, *Papers* (Hutchinson), 4:141–42.

[1] For "our last parliamentary intelligence," see Madison to Pendleton, March 19, 1782.

[2] For the arrival of the frigate *Émeraude* at Newport on March 26, see Madison, *Papers* (Hutchinson), 4:141n.2.

James Madison to Edmund Randolph

Dear Sir Philada. Apl. 9th. 1782.

I had promised myself the pleasure of a line from you by this post, but find by a letter from Mr. Jameson that you had not arrived at Richmond at the time of writing for it. I have inclosed to Mr. J. the paper of this morning which contains all the news current without doors.[1] Within doors nothing worth particularizing has taken place. The Committee on the affair of Vermont have made no report as yet.

I perceive by a passage cited in the "Examination of the Connecticut claim to lands in Pennsa."[2] that we have been mistaken in supposing the acquiescence of Virginia in the defalcations of her Chartered Territory to have been a silent one. It said that "at a meeting of the Privy Council July 3. 1633, was taken into consideration the Petition of the Planters of Virginia remonstrating that some grants had lately been obtained of a great proportion of the lands & territories within the limits of the Colony there, and a day was ordered for further hearing the parties (to wit Ld. Baltimore & sd. Adventurers & Planters)." The decision agst. Virga. is urged as proof that the Crown did not regard the Charter as in force with respect to the bounds of Virga. It is clearly a proof that Virga. at that time thought otherwise & made all the opposition to the encroachment which cd. then have been made to the Arbitrary Acts which gave birth [to] the present revolution. If any monuments of the transaction of Virga. at the period above [men]tioned or any of the successive periods at wch. these encroachments [had] been repeated, you will have an opportunity of [search]ing [more] minutely into them. It is not probable however that after a fa[ilure] in the first opposition any further opposition will be found [to] subsequent grants out of Virga.

Present my sincere respects to your amiable lady & [believe] me &c &c.
J. Madison Jr.

[*P.S.*] Col. Carrington will not fulfill his intentions in se[tting] off for Virga.[3] Docr. Lee will [set] off in 5 or 6 days & I shall [take] that conveyance for the proposed *Report*.[4] Mr. Jones will [follow] the Docr. abt. the last of this month. I hope you will all[ow] due weight to these considerations in deciding on the tim[e for] your return.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:143–44.

[1] Madison's letter of this day to David Jameson has not been found.

[2] That is, the Rev. William Smith's *An Examination of the Connecticut Claim to Lands in Pennsylvania. With an Appendix, Containing Extracts and Copies Taken from Original Papers* (Philadelphia: Joseph Crukshank, 1774). Evans, *Am. Bibliography*, no. 13,629.

[3] For Col. Edward Carrington's mission to Philadelphia to arrange for clothing and equipment for the southern army, see Madison, *Papers* (Hutchinson), 4:144n.4.

[4] For Arthur Lee's departure from Philadelphia, see Lee to Samuel Adams, April 21, 1782, note 1. The "proposed *report*" was undoubtedly the report of the committee on western lands of November 3, 1781, which was scheduled for reconsideration on April 16. See *JCC*, 22:184; Edmund Randolph to Thomas Nelson, November 7, 1781, note 4; and Madison, *Papers* (Hutchinson), 4:145n.5.

John Morin Scott to George Clinton

Dear Govr., Philadelphia April 9th. 1782.

The Want of more frequent Acco'ts from Gentlemen in public Character in our State is Matter of great Anxiety to Colonel Floyd and myself. His Cash being exhausted he intends to return next Week, as I, for the like Cause, shall be obliged to do in a few days after, And it will be with the greatest Reluctance. To leave the State at this critical Juncture unrepresented is truly distressing. It will give great Pleasure to a prevailing Party in Congress; but it cannot probably be avoided. From the known disposition of the Members to whom the acquiescence of the Grants to the Overtures of Congress of Augt. last was referred I expect a Report declaring that the Grants have complied with those Overtures, and recommending the Reception of their Delegates, now on the Spot, into Congress. Should this Event take place, there is the highest reason to fear that the Overtures our State have in Contemplation with those People will be rejected; that they will immediately receive open Countenance and Support from the New England States; and that Congress will not only abandon Us; but probably reprobate, and perhaps author[it]atively interpose, to prevent our doing ourselves Justice.

I have the Honor to inclose to your Excellency Extracts from the Journals on the Receipt of the dispatches from the Grants. The Subject took up three or four days in warm debate. Our friends of whom You have already been informed exerted great Energy in our Behalf. This You will see from the Extracts; which is exclusive of the animated part they took with Us throughout the whole debates. Thro' those they facilitated our Triumph, with which those Extracts are clearly marked.[1]

MS not found; reprinted from Burnett, *Letters*, 6:327–28.

[1] Scott undoubtedly enclosed extracts from the journals of April 1, 3, and 4, for which see *JCC*, 22:157–58, 161–73; and Scott to Clinton, April 2, 1782.

John Morin Scott to Richard Varick

Dear Colonel Philadelphia April 9th. 1782

I have been a considerable Time endeavoring to procure the favorable Opinion of Members out of Doors for making a General Rule of Congress for securing the depreciation to Officers whose Cases are not included in former Resolutions of Congress; but to no purpose, as some of the States are unwilling to make good the depreciation. I was therefore obliged last Week to put your Case on its own Bottom, by a Memorial which I drew and signed with your Name. It was referred to the Secretary at War.[1] I yesterday called on him to urge his Report. He immediately drew the draft of it in my presence and would not have delayed it one Moment; but Congress rose before it could be fairly transcribed. It will I suppose come in to day; and when it does will probably be referred to the Committee (of which I am one) to whom Commodore Wyncoop's Memorial on the like Subject is referred. I shall soon be able to inform You of its Result.[2]

I have no News to communicate to You. If the Legislature should be still sitting be pleas'd to present my Compliments to Mr Oothoudt & inform him I have received his favor and should have answered it. But understanding, that the Legislature were near rising, and the different Subjects of his Letter being delicate in their Nature, I feared he might be gone home & My answer might miscarry while probably it would at all Events come too late.

I am, Dear Varick your affectionate Friend and very humble Servt. Jno. Morin Scott

[P.S.] This Morning while I was attending on Committee Business in the Committee Chamber the Report of the S. at War came in. In my

best copy available

afd. absence a Motion was made to postpone it because it was calculated to provide for his deputy before his principal, but no resolution passed on it. I shall therefore take it up to morrow; & press it with all the force I am able.

RC (NHi: Miscellaneous Manuscripts, Varick). Addressed: "To Richard Varick Esqr., Poghkepsie, State of New York."

[1] See *JCC*, 22:152; and PCC, item 32, fol. 345.

[2] See Scott to Varick, July 3, 1782, note.

Charles Thomson to William Moore

Sir, April 9. 1782.

The enclosed intelligence was communicated to Congress on Monday last. For your farther information respecting the channel of Intelligence I beg leave to send you a letter I received on Sunday from Mr L Weiss. It is the desire of Congress that your excellency and the honble. Council would be pleased to cause enquiry to be made into this matter.[1]

I have the honor to be, with great respect, Your Excellency's Most obedient & most humble Servt, Cha Thomson

RC (PHi: Gratz Collection). Addressed: "William Moore Esqr. President of the State of Pensylvania."

[1] Thomson's enclosures consisted of an April 7 letter to him from Lewis Weiss and a report "by one Mr [Frederick] Leimbach relative to a murder committed by white Men upon a Number of Christian Indians at a place called Muskingum." See *Pa. Archives*, 1st ser. 9:523–25. Although there is no mention of this matter in the journals, Thomson endorsed his copy of Leimbach's report, "Intelligence respecting the Murder of Indians at Muskingum, April 8th. 1782. Copies of the within sent to the Executives of Pennylva. & Virginia." PCC, item 59, 3:49–52. The silence of the journals on this matter is all the more puzzling inasmuch as the enclosures sent to Virginia bear the explanation: "Intelligence respecting the murder of the Indians at Muskingum, having been laid before Congress—it was ordered, That the same be communicated to the Executive of Pennsylvania and that of Virginia, to enquire into the facts. April 8th. In Congress." *Cal. of Va. State Papers*, 3:122–24.

Moore's April 13 directive to Gen. William Irvine at Ft. Pitt requesting an investigation of the massacre reported by Leimbach, along with Irvine's responses of May 2, 3 and 9 and a number of other related documents bearing on the incident are in Consul W. Butterfield, ed., *Washington-Irvine Correspondence. The Official Letters which Passed between Washington and Br.-Gen. William Irvine and between Irvine and Others Concerning Military Affairs in the West from 1781 to 1783* (Madison, Wis.: David Atwood, 1882), pp. 236–46.

The story of the massacre of more than 90 Moravian Delaware Indians at Gnadenhutten in present day Ohio on about March 8 has been placed in the context of the Delaware's relations with the United States during the revolution in Clinton A. Weslager, *The Delaware Indians A History* (New Brunswick, N.J.: Rutgers University Press, 1973), pp. 313–17. There is no further mention of the matter in the records of Congress, but on June 3 the Pennsylvania Council ordered General Irvine's report "with the representations of Colonels [James] Marshall and [David] Williamson, be laid before Congress," and Moore subsequently alluded to the subject in his August 14 message to the Pennsylvania Assembly. *Pa. Council Minutes*, 13:297, 348–49.

For the transmittal to Virginia of the enclosures Thomson sent herewith to President Moore, see Virginia Delegates to Benjamin Harrison, April 17, 1782, note 1.

John Hanson to Philip Thomas

Dear Doct. Philadelphia April 10th 1782

I received yours by Mr Faw, who delivered me 23.5.6 for which I am much obliged to you; it Came very opportunely and will stay by me but a very little time. A has been up, and laid me under Contribution to the Amount of £60, which I had not to pay. Your mother has received her part £3. Layler promised to have one of his best hats finished for you today, wish he may Comply with it, if he does not, you shall have the hat by the next Opportunity. Would have you write to Mr. L Oneal, that Ned is for sale. If L. gives this out, it may induce Ned to Come in to him. Christian Stouder must Apply to the Land office. I made an application for a warrant for him prior to Jo. Woods Application, which will have preferance. I have Sent the Key of a Trunk which stands in our Room above stairs behind the Door, in which are all my papers relative to the office. The Bundles you will find are alphabetical, and you may readily find the Certificates Mr. T. Beatty wants, which you will be pleased to Copy. You will find a blank left for the Courses, which you will insert in words and not in figures, the Courses and plot you will find with the Certificate; you will Sign my name. Must request you will not let anyone puruse Any of my papers, nor let them be dissorted. Should Any one Else apply for Copies under the like Circumstances Could wish they may be furnished but they should be paid for. You will observe Many of the Bundles are Indorsed "Certificates to be Copy'd" whereever that is the Case, the partys have not had Copies, to which they have a right, without further Charge—but where you find no such Indorsment on the Bundles, Copies have been made out. You will find among the papers, a great number of Certificates which have been made out for the Land office and not returned the fees not being paid, and I think there may be a few in a small Bundle by themselves on which the fees have been paid, but was not sent before I left home but of this I Am not Certain, they should be sent inclosed to the office by the first Opportunity. Should any Certificate be applyed for that is made out and not returned to the office, you will be pleased on receiving the fees to Inclose them and direct to the Land office, and deliver it to the party or send it by some safe Opportunity. The fees are Charged in my fee Book, which is a small Book Covered with parchment and wrote Fee Book on the Back. The fees

I think are Charged in Tobacco, and must be discounted at *12/6*. Interest ought to be Charged from the time the work was done. Whether the Book is in the Trunk I Know not, but you will find it some where about the House. There are many Copys of plats and Certificates made out for the party, which have not been Called for—you will find in Bundles by themselves and which may be delivered if wanting—the fees have been paid.

Mr. Gaunts large Resurvey you will find in the Trunk, it is a large Roll, and indorsed, Freldorea Manor. The Courses are there, which you may take a Copy of, but pray be Carefully that none of the papers are lost, there are a great number of small papers in that Roll. What Certificates you may send to the land office, be pleased to Keep an account of noting the time they are sent and by whom. A few days ago I recd a letter from Mr B Contee, acquainting that he Could do nothing towards Secureing a Debt due to Mr. Contee and my Self from Townley Bruce, for want of the Bond. I have inclosed the Keys of my Desk in the Hall. The Bonds payable to the Company you will find in a long drawer to the left hand, or they may be in an inner drawer, of which the little Key will open the Door of, if you find the Bond and have a safe Oppertunity, be pleased to inclose it to Mr B Contee. Pray take Care of the Keys as there is money in the Desk (old Continental) and a Bundle of Continental State money belonging to Mr Allen Sealed up. I am a little unwell with a Cold. Your mother mends fast, and little Kit is now very well, she was plagued last week with the tooth Ach And a pain in the Ear attended with a slight fever. What little news we have, is Contained in the papers. Our love to you and the Children, and that this may find you all in perfect health is the most Ardent wish of, Yrs. most affectionately.

J.H.

[*P.S.*] May I venture to present my Compliments to Mrs Price. Does not Mr P. Come on next money

RC (MdHi: Hanson Letters).

Samuel Osgood to Samuel Holten

Dear Sir, Philadelphia April 15th. 1782

You will excuse a very short Letter this Time: for as our Friend Mr. Lovell will be the Bearer of it & probably find you in Boston he will be able to inform you of every Occurence this Way.[1] Perhaps you may be surprised when you hear that he has left Congress to return no more. I however think his Motives are Justifiable considering the Situation of his Family. Mr. Partridge intends returning in May. I shall be happy if the State is represented so that I can leave this Place in June.

Enclosed you have Ten Dollars our State Money recd. for the Ten Dollrs. New York & New Jersey Money which you enclosed to me.

I am, Dear Sir, with Sentiments of the highest Esteem, your most humble Servant. Samuel Osgood

RC (PHi: Gratz Collection).

[1] For James Lovell's sudden departure from Congress, see Lovell to Nathanael Greene, April 2, 1782, note 3.

Oliver Wolcott to Laura Wolcott

My Dear. Philadelpa. 15th April 1782

I have this day recd Rhina's Letter of the 30th last—And am Very sorry that you do not injoy the best Health; The Cares of a Family I fear too much oppresses you: some part of that Burden I hope soon to relieve you from, as I intend if it shall be in my Power to leave this Place in the course of the next Week. I am surprised to hear that Col Root does not intend to come here till after the May Assembly. Govr Trumbull wrote that he would with Mr Benja Huntington come forward about the Middle of April. Col Root himself wrote to me in the same Manner. I expected by one of them to have a Servant to Return with Me. But it seems I shall probably be disappointed—however I will Endeavor (tho' at present do not know how I shall) to do without. My domestic Affairs I am Very sensible renders it necessary for me to Return, and as the Time which I proposed to tarry here will in a few days End I shall consider myself justified in leaving the Service wheither those Gentlemen shall be here or not.[1] Mr. Law is in dayly Expectation that Mr. Browne will be here with a Horse for him, for which only he is detained. He will Return as soon as he arrives, and I shall expect his company. Browne wrote that he should set out about the 10t of this Month, if so he will be here this Week. You will not suffer a Moments Uneasiness if I shall not Return by the Time I have proposed—As Company and Other Circumstances may occasion some delay. This Letter will probably be delivered to you by Mr. Lovell of Boston a Delegate of Congress who is returning home. My last Letters were the 6t of April and 26t and 19t of March.[2]

May you injoy more Health and less Oppression of Spirits than I fear you suffer. By the divine Goodness I am well—my kindest Love to my Children. Yours with the kindest Affection,

Oliver Wolcott

RC (CtHi: Oliver Wolcott, Sr., Papers).

[1] Wolcott was still in Philadelphia on April 29 (when he and Richard Law signed a joint letter to Jonathan Trumbull), but left later that day (according to Law's April 30 letter to Trumbull).

[2] Wolcott's April 6 letter has not been found; for the others, see Wolcott to Laura Wolcott, March 26, 1782, note 1.

Samuel Livermore to Meshech Weare

Dear Sir Philada. 16th Apl. 1782

Enclosed is copy of a (wise) report drawn by a comtee. on the affair of our quota.[1] This wisdom you may be assured I used my utmost efforts to oppose because it is the wisdom of this world, and savours of the Mammon of unrighteousness. It was largely debated. I made a motion to postpone the report to introduce the following resolution, viz, That 66512 dollers be deducted from the quota of New Hampshire, it appearing said state was overrated that sum. I calld the yeas and nays, but it was determined against me. You wd. have been diverted to have heard the many wise tho very different reasons given against making the deduction. The principal & most oratorical reasoning was this, that the 8 miln. dollers wd. be thereby diminished, unless whatever should be deducted could be aded to the quota of some other state: and no state was willing to take it. I have seen a debate in a genl. Court (to compare small things with great) when a town has applied to get part of its tax taken of, not unlike the present. The affair is not yet settled. Whether the report will be recd. or undergo some alterations or be totally rejected I know not. I intend to act my part properly, if I can. Vermont is not yet settled.[2] As soon as these two things are dispatched one way or another I shall resign my seat in congress to return home as my family and circumstances loudly call for me. The court no doubt will forward the new delegates as soon as they can. Tis probable I shall leave this place by the first of May.

I have the honour to be, Your most obedt Servant,

Sam Livermore

RC (Nh-Ar: Weare Papers).

[1] See *JCC*, 22:158–60; and Livermore's first letter to Weare of March 12, note 1.

[2] On the following day Congress rejected a series of motions for setting a date to debate Vermont's admission into the confederation as an independent state. *JCC*, 22:185–90.

Livermore's position on the Vermont controversy at this time subsequently elicited the following comment from James Lovell, who left Philadelphia this day to return to Massachusetts. "The day after I left Philadelphia," Lovell explained to William Whipple on August 30, "was assigned for taking up Vermont affairs on which occasion doubtless New Hampshire ought to be represented but in my own opinion they had better remain unrepresented than join to forward measures which your State seems to be brought into; one of your late delegates I believe, made a kind of bargain with N.Y. delegates for the division of that country, on what personal and public terms I know not, but I think public peace, safety and honor concur in rendering any such bargain abortive and, a little while since 7 out of 8 of the Members of Congress thought so too." Peter Force Transcripts, DLC.

Samuel Livermore to Meshech Weare

Dear Sir Private Philada. 16 Apr. 1782

I recd. your friendly letter of the 2nd instant which demands my sincere thanks.[1] As nothing but friendship & sincerity dictated mine to you; so I have not the least doubt but the same principles dictated yours to me. I shall resign my seat in congress in a short time,[2] not to injure the interest of the state, as I hope. If my appointment shd. take place, well; if not, I shall return to serve my country in any station they please. I mean to be very tranquil upon the case.

Your friend & most obedt Servt. S Livermore

RC (MHi: Weare Papers).

[1] Weare had discussed Livermore's possible appointment as chief justice of the New Hampshire Superior Court. Weare Papers, MHi. See also Livermore's second letter to Weare of March 12, 1782.

[2] See Livermore to Weare, April 29, 1782.

James Madison to Thomas Jefferson

Dear Sir Phila. April 16th 1782

Your favor of the 24 of March[1] with a letter inclosed for Mr. Marbois came to hand yesterday.

I intreat that you will not suffer the chance of a speedy and final determination of the territorial question by Congress to affect your purpose of tracing the title of Virga. to her claims.[2] It is in the first place very uncertain when a determination will take place, even if it takes place at all; & in the next it will assuredly not be a final one, unless Virga. means to be passive & silent under aggression on her rights. In every event therefore it is proper to be armed with every argument & document that can vindicate her title. Her adversaries will be either the U States, or N.Y. or both. The former will either claim on the principle that the vacant country is not included in any particular State & consequently falls to the whole, or will cloath themselves with the title of the latter by accepting its cession. In both cases it will be alledged that the Charter of 1609 was annulled by the resumption of it into the hands of the crown, and that the subsequent grants to Maryland &c. denote this to have been the construction of it: that the Proclamation of 1763 has constituted the Alleghany Ridge the Western limit of Virga. & that the letter of Presdt. Nelson on the subject of a New Colony on the Ohio,[3] relinquishes on the part of Virga. all interference with the Authority of the Crown beyond that limit. In case the title of N.Y. should alone be opposed to that of Virginia, It will be further alledged agst. the latter that the treaties of 1684, 1701, 1726, 1744 & 1754 between the Govt. of the former & the 6 Nations have annexed to it all the Country claimed by those nations & their tributaries, and that the expence of N. York in defending & protecting them ought in equity to be reimbursed by this exclusive advantage. The original title of N.Y. is indeed drawn from the charter to the Duke of York in 1663–4, renewed after the treaty of Westminster in 1674.[4] But this Charter will not I believe reach any territory claimed by Virga.

Much stress will also be laid on the Treaty of Fort Stanwix particularly as a bar to any corroboration of the Claim of Virga. from the Treatys of Lancaster & Loggstown. It is under this Treaty that the companies of Inda. & Vandalia shelter their pretensions agst. the claims of Virga. &c. &c. see the pamphlets entitled Public good & plain facts.[5] As these pretensions can be of no avail unless the Jurisdiction of Congress, or N York at least can be established, they no otherwise deserve notice than as sources of calumny & influence on public councils; in both which respects it is the interest of Virga. that an antidote sd. be applied.

Mr. Randolph during his stay here was very industrious & successful in his researches into the territorial claims of all the States, and will be able to furnish you with many valuable hints. Your visit to Richmond in May will give him an opportunity.[6]

Our information from Europe has been peculiarly defective of late. It seems little probable that any decisive steps have been or will speedily be taken towards either a partial or general peace. The weight of the war will probably fall on the West Indies at least in the early part of the Campaign. Whither it will then be shifted is altogether uncertain.

With very sincere regard I am Dr Sir, Yr. Obt. Servt

J Madison Jr

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:154–55.

[1] Ibid., pp. 119–20.

[2] For Jefferson's rough outline of arguments in support of Virginia's claim, which he may have begun drafting upon receipt of this letter, see Jefferson, *Papers* (Boyd), 6:663–67.

[3] For the letter of William Nelson, former president of the Virginia council, see Madison, *Papers* (Hutchinson), 4:156n.7.

[4] For the seven treaties cited in this paragraph, see ibid., p. 156nn.9 and 11.

[5] That is, Thomas Paine's *Public Good, Being an Examination Into the Claim of Virginia to the Vacant Western Territory* (Philadelphia: John Dunlap, 1780), which denied the validity of the state's claim under the charter of 1609, and Samuel Wharton's *Plain Facts*, for which see Madison to Jefferson, April 3, 1781, note 2.

[6] For Edmund Randolph's role in drafting Virginia's defense of its claim, see Madison to Jefferson, March 18, 1782, note 6.

Rhode Island Delegates to William Greene

Sir, Philadelphia Apl. 16th. 1782

We trust that our silence for some time past will be attributed not to a neglect of duty, but to its true cause, the want of something to communicate to government worthy of its notice.

Our time since we wrote last hath been employed chiefly in attending to private petitions and applications, in defining more particularly the duties of the Secretary of Congress, of the Secretary of war, and of the Secretary for foreign affairs; and in devising ways to reduce the numbers & salaries of staff officers.

Sensible of the burthen under which their constituents labour Congress are desirous to alleviate it by lessning as much as possible the expences of the war; and we expect from the Œconomical measures which have been and will be taken a considerable reduction will be made.

The principal matter which hath lately come before us is an Act of the State of Vermont, complying with the resolutions of Congress of August last, and appointing delegates to represent them in that body. It and other papers relative to Vermont were and stand committed. What the final result will be we cannot undertake to say. Some States will oppose their being admitted into the fœderal union; because it might affect the balance of power by throwing an aditional weight into the eastern scale; and because it might be a precedent for augmenting the number of the confederated States already too large.

They will be greatly embarrassed by the resolution of August; but they will endeavour to avoid the promise strongly implied in that resolution, by opposing the former non-compliance of the State of Vermont with the conditions on which that promise is founded, to their present compliance.

The report of a committee on cessions of Western lands to the United States, which is also a matter of importance, and which hath long laid upon the table, is this day taken up; but we believe will not be speedily determined.[1]

Yesterday Congress received a letter from Genl. Green dated at Pon-pon March 11th respecting the state of the army under his command.[2] Nothing new had occurred. At the same time they received letters from Europe. One from Dr. Franklin inclosing two letters from a gentleman in Holland;[3] one of them dated Amsterdam, Jany. 7th in which he says, The rage of the English faction hath increased with their ill sucesses in America, That the loan for five million guilders if filled &c. In the other dated the 17th Jany. he mentions that Mr. Adams had demanded a categorical answer to his propositions for entering into a treaty with the U. Provinces, and that the deputies of the States had taken the same ad referendum. That the United Provinces will not make a truce with Great-Britain, nor suspend their preparations for carrying on the war during the negotiations for a peace under the mediation of the Empress of Russia; nor will they make peace with Britain unless they can enjoy all the rights of free trade according to former treaties, and the present armed neutrality.

A letter from Marquiss de Lafayette of the 29th of Jany.[4] mentions that Dr. Franklin had made him his political aid de camp, that the King his master had great affection for us; and that he (the Marquis) would do every thing in his power to serve us.

Our Commissioners have met those appointed by the British for settling the terms of a cartel: but we know not how far they have proceeded in that business. We have for some time past had under consideration measures for relieving the distresses of our seamen in captivity; but have waited for the result of the conference in order to come to a determination. We have only to add at present that we are with sentiments of the highest respect, Your Excellency's most obedt. servants, William Ellery

Ezekiel Cornell

[P.S.] I am told by one of the So Carolina delegates that Genl. Green's lady arrived at Head Qrs. the 22d Febry.

RC (R–Ar: Letters to Governors). Written by Ellery and signed by Cornell and Ellery.

[1] See the following entry, note 3.

[2] Gen. Nathanael Greene's March 11 letter is in PCC, item 155, 2:433–39.

[3] Benjamin Franklin had enclosed letters from Charles W.F. Dumas of January 7 and 17 with his January 28, 1782, letter to Robert R. Livingston. Franklin's letter and Dumas' letter of January 7 are in PCC, item 82, 2:75, and item 93, 2:7–9. Dumas January 17 letter to Franklin is not in PCC, but information similar to that reported here is in Dumas' January 15 letter to Congress, which is in PCC, item 93, 2:11–13.

[4] Lafayette's letter to the president of Congress is in PCC, item 156, fols. 264–66; and Lafayette, *Papers* (Idzerda), 5:6–7.

Virginia Delegates to Benjamin Harrison

Sir Philadelphia April 17th. 1782

The enclosed relation was directed by Congress to be transmitted to the Executives of Virginia & Pensylvania, that they might make enquiry into the facts, & take such measures in it as they deemed proper.[1] Your Excellency's Letter, touching the capture in North Carolina, remains yet unreported on.[2]

We thought it necessary to have a decision from Congress, relative to the cession of our western territory, for the information of the ensuing Assembly; & therefore movd for the appointment of a day, to take up the consideration of the report on that subject. Monday last was the day assigned; but a call for an adjournment, put it by for that day.[3] A Vessel just arrived here from the Cape, reports, that 17 spanish Sail of the Line & 12 thousand troups were then in that port.

We had the honor of your last Letter,[4] & will comply with what your Excellency desires relative to the one for forty Emission by the next post. With the highest respect we have the honor to be, Your Excellency's most Obedt. & most Humb. Servts.

Jos. Jones J. Madison Jr.
Theok. Bland Arthur Lee

Reprinted from Madison, *Papers* (Hutchinson), 9:428.

[1] For the "enclosed relation" concerning the massacre of friendly Delaware Indians by Pennsylvania and Virginia Militiamen at Gnadenhutten, see Charles Thomson to William Moore, April 9, 1782.

[2] That is, Harrison's March 22 letter reporting the capture of the *Three Friends*, for which see Virginia Delegates to Harrison, April 2, 1782, note 1.

[3] The report of the committee on western land cessions, for which see Edmund Randolph to Thomas Nelson, November 7, 1781, note 4, was finally considered on Tuesday, April 16, but Congress "came to no determination thereon." On that day or the next Congress adopted the Virginia delegates' motion that the report be made the order of the day for April 18. See *JCC*, 22:184, 191. For the delegates' strategy in Congress that day, see Arthur Lee to Samuel Adams, April 21, 1782, note 4.

[4] For Harrison's letter of April 6, see Madison, *Papers* (Hutchinson), 4:139–40.

Theodorick Bland to St. George Tucker

Dear Tucker (No 1) Philadelphia Apr. 19th 1782

I arrived on the 11th at this City[1]—my Journey was tedious and painfull occasiond by a fit of the gout which seized me on the Road—but tis over. I will not attempt to describe its attack or my manoeuvres to combat them—tis sufficient that I carried my point with but little loss—for which I was principally indebted to the fine Season, the fine weather and good Roads. I found my Bretheren deeply engaged in Indiana affairs—but as I thought when with you so I now think, that Virginia has no real cause of Alarm. She stands on firm ground and I do not think an inch of it will be yielded—or can be wrested from her but in the mode she has herself prescribed—she stands on the Ground of the Constitution of the Fœderal Union—what can shake this foundation but the wrath of an offended Deity. Quirks, Quibbles, shifts (and I assure you they are not wanting on the other Side) will in this age (whatever they may do in another Century) give way to sound reason and common sense. You will find nevertheless on perusing the late Papers and in conversations industriously circulated by the Indiana &c. Claimers and their abettors what unwearied pains has been taken to Cultivate the weak arts of finesse and imposition—the principal aim of which is to catch Credulous Gudgeons with the double view of accumulating money by the sale of shares, and requiring an accession of Interest by interesting a greater number of Proprietors. They have even gone so far as to order an Utopian Patent to be made out to Mr. Paine the Author of some pieces in favor of their Claims[2] in contradiction to which we must in prudence follow them and fight them with their own weapons. I therefore request that you will have inserted in one or both of the Virginia Papers the following Paragraph as coming from the Authority of a [3]

viz Notwithstanding the Impudent assertions, and false state of facts which has been held forth to the Public in various paragraphs of the News papers on this Continent and industriously Circulated by the Lordly claimants of millions of Acres of that Western Territory which Virginia has Ceded under certain restrictions for the Publick Good to the United states, and has steadily refused to grant to a few Individuals, We can assure the Publick—that the Honorable Congress, as a Body, has taken no step to confirm the Unfinished grants of the British King to those politic Individuals who at the expence of Millions yet unborn would erect themselves into petty Sovreigns, and defeat the purposes for which so many brave men have shed their dearest Blood in this virtuous Struggle for equal Liberty. Be not therefore Gulld in the purchase or even acceptance of a Title which is the shadow of a Shade.[4]

RC (ViW: Tucker-Coleman Papers).

[1] Bland took his seat in Congress on April 15. *JCC*, 22:180.

[2] See James Madison to Thomas Jefferson, April 16, 1782, note 5.

[3] In his May 2 reply Tucker promised to "comply with your injunction relative to the affairs of the Virginia cession," but it is not clear whether he submitted the following paragraph to either of the Richmond newspapers. See *The Bland Papers*, ed. Charles Campbell, 2 vols. (Petersburg, Va.: Edmund & Julian C. Ruffin, 1840–43), 2:79–80.

[4] For the continuation of this letter, see Bland to Tucker, April 23, 1782.

Elias Boudinot to Lewis Pintard

My dear Sir, Philadelphia Aprill 19t, 1782

Burgie going off before I return from Congress, I am obliged to write in a hurry. Have been thinking seriously about the Manner of our return, and begin to be of opinion that the best way, will be for you to leave the Waggon at Princeton and come on in the Stage. We then can send the heavy Baggage to Trenton by Water, and hire the Stage Coach to ourselves, and will just fill it. The reason of this is that the Waggon will by no Means carry us all with our Baggage, and as I must hire the Coach, it may as well be filled as not.[1]

I hope William or somebody else has been employed with Josey to save the Meadows of Sam Breenes Place from the Violence of neighbours want of honesty in suffering their Cattle to run on them. Pray enquire about it for me. I hope you will be here by the Seventh or Eighth of May at farthest.

I wish you could contrive to bring with you to Trenton and leave them with Marquis, or get Triphagen to bring them to Court three Volumes out of my library endorsed *Peere Williams Reports*.[2]

Not a Word of News. Love to all, in which Hanny & Susan join. Am my D Sir, Yours Affly, E B

[*P.S.*] Patty is well.

I shall direct Burgie to call on Mr Hunt for the Grammars in Case he can spare them.

Do bring with you a couple of pair or three if you can of thread Stockings for me from Molly.

RC (PHi: Boudinot Papers).

[1] Boudinot also noted on the cover of this letter: "with a small Box & a Portmanteau."

[2] That is, William Peere Williams, *Reports of Cases Argued and Determined in the High Court of Chancery* . 3 vols. (London: W.P. Williams, 1746–49).

Edward Telfair to James Jackson

Dear Sir[1] Philadelphia 19th April 1782

I received the favor of your Letter by Colo McMurphy and am obliged to you for the information contained in it. The Capture of Clothing on the one hand and the conduct of Capt Gillian on the other has reduced Congress to great difficulties in this Article.[2] At any rate it will be well for the State to appropriate *funds* towards her own internal support, for it is not reasonable to expect much assistance from Congress, at a time When the Subject of requisitions from the States is one of her great Objects, and must continue so during the War. You have seen a Little of this by being here, even in a time of the circulation of Paper Currency and since the reduction of it—you may easily suggest additional difficulties. We had a Letter from you on this Subject to the Delegation delivered us on the late change—and now only wish to satisfy you that no pains on our part has been wanting to Accomplish the views of the States. Arms Ammn. & some white Serge is now procured. We have nothing new, it is to be expec[t]ed Holland will soon Ally—and Spain may in time follow her example. You will by Genl Twiggs, Colo. McMurphy learn what is current here. We have long expected Colo. Few here, and the expectation of seeing him every day prevents my now writing him. My best Compliments to Mr. & Mrs. & Miss Wereat. I expected a line from him before this.

I am Sir, Your mo Obt S. Edwd. Telfair

RC (PHC: Roberts Autograph Collection). Addressed: "Colo. James Jackson, Augusta, Georgia. favored Colo. McMurphy."

[1] Lt. Col. James Jackson (1757–1806) commanded the Georgia State Legion raised in the summer of 1781 at the suggestion of Nathanael Greene, accepted the keys to Savannah when British troops evacuated the city on July 11, 1782, and later became governor of Georgia and a United States Senator. *DAB*.

[2] For the "Capture of Clothing" the preceding summer, see James Lovell to Elizabeth Dana, August 23, 1781; for the "conduct" of Commodore Alexander Gillon of the South Carolina navy, see James Madison's committee report on the issue in Madison, *Papers* (Hutchinson), 4:110–13, especially notes 5 and 6.

Arthur Lee to Joseph Willard

Reverend Sir, Philadelphia, April 20th, 1782.

I had yesterday the honour of receiving from the hand of the Rev. Dr. Elliot, your very obliging letter of the 28th ult., together with a diploma for an honorary Doctorate of Laws from the university over which you preside with so much deserved reputation.

I beg sir, you will be assured, and that you will assure the visiters and fellows of the university, that I have the highest sense of the honour they have conferred upon me.[1] *Laudari a laudatis viris* would be flattering to a person infinitely less deserving of praise than I can possibly think myself. It was with peculiar pleasure I read a diploma, conceived in language pure and elegant enough to have flowed from an ancient pen.

Liberty and letters sir, are so inseparably connected, that a lover of the one cannot but see with sincere satisfaction the cultivation and prosperity of the other. It is to the light which literature had diffused that we owe the assertion of our liberties, and to the continuance of the same we must owe their establishment and permanency. The eminent share which the university of Cambridge had in diffusing these salutary lights, by her example and instructions, has made her proportionally respected; and a perseverance in the same course will render her an honour and blessing to these United States. For an institution of such utility it is patriotism to pray, *esto perpetua*.

The American Academy of Arts and Sciences hath done me great honour in admitting me into their society, instituted for the best of purposes by gentlemen capable of fulfilling them.[2] I entreat you sir, to lay before them the due sense I have of the favour with which they have distinguished me, and to assure them that I shall ever be happy in contributing every thing within the compass of my poor abilities, to promote the valuable object of the institution.

Do me the favour sir, of accepting my thanks for the very polite and obliging manner in which you have signified the proceedings of the university and of the academy, and my best wishes for your health and prosperity.

I have the honour of being, reverend sir, with the utmost respect and esteem, your obedient servant, Arthur Lee

MS not found; reprinted from Richard Lee, *Life of Arthur Lee, LL.D.*, 2 vols. (Boston: Wells and Lilly, 1829), 1:178–79. Addressed: "To the Rev. Joseph Willard, President of the University of Cambridge, and Secretary of the American Academy of Arts and Sciences."

[1] Harvard College had awarded Lee an honorary LL.D. on December 19, 1781. Louis W. Potts, *Arthur Lee: A Virtuous Revolutionary* (Baton Rouge: Louisiana State University Press, 1981), pp. 253–54.

[2] Lee was elected a member of the American Academy of Arts and Sciences in Boston after he submitted a scientific paper on the effects of lightning striking the house in Philadelphia rented by the French minister La Luzerne. Ibid., pp. 253–54. See also Daniel Carroll to Thomas Sim Lee, March 28, 1782.

Arthur Lee to Samuel Adams

My dear friend, Philadelphia April 21st 1782

I cannot lose so good an opportunity as that of Dr Eliot, of enquiring after your health & hoping you are happy.

The Session of the Assembly of Virginia in May, calls me from Congress for a month or two to attend my duty there.[1] Indeed I do not see of what material use my attendance here can be, where I can only lament what I can not prevent, and make vain efforts to redeem an infatuated Majority from the bondage of folly & private interest. For what can be expected from an Assembly in which a Member is allowd to sit, who is avowedly an Agent for the Enemies to our cause & Country, an Insolvent & a profligate Adventurer. I mean Mr. Samuel Wharton.[2] This man, Sir, that in a Petition on the table of Congress[3] declares himself insolvent, not only sits & votes, but treats the Members with magnificant Dinners. I am perfectly persuaded that it is the interest of the Companies which this Man is an Agent for and a member of to reduce us to the domination of G. Britain, because their Members being chiefly British & of great influence they woud by that means be secure of obtaining the Lands which it is impossible they shoud do while we are independant. And as these Agents are using every art to seduce us & to sow dissention among the States, I think they are more dangerous than the Enemy's Arms. Every motion relative to Vermont & the Cessions of the other States is directed by the interests of these Companies. I have in vain movd for a purifying declaration, from each member that he is not concerned in them. The Motion was evaded by three days chicane, & remains undecided.[4]

As to Vermont, I am clear we have no power to admit them into the confederation, & I am doubtful of the policy of it, if the power were unquestionable. The small States are already combining to dismember the large Ones. The addition of another will be a dangerous accession, & the disposal of property in quotaing each being by Votes not by interest, it will enable the small States to throw the whole burthen of the war upon the large Ones. But your Delegates do not think with me, which I lament. Sure I am that with the admission of this little State the confederation will end; its present inequality being as much as it can bear.[5]

Please to remember me to Mrs. Adams, to Genl. Ward, Mr. Bowdouin & his Family.

I do not believe your fellow-Citizens will ever part with you again, & therefore dispair of seeing you here.

I am with unalterable esteem & affection, dear Sir, yr. most Obedt. Servt.

A. Lee

RC (NN: Samuel Adams Papers).

[1] Lee, who had obtained a leave of absence on April 9, remained to vote in Congress on the 20th. He apparently did not leave Philadelphia until April 24. See *JCC*, 22:177, 204; and James Madison to Edmund Pendleton, April 23, 1782, note 4.

[2] Delaware delegate Wharton had earned Lee's contempt because of his activities as agent for the Indiana Company.

[3] Not identified.

[4] For Lee's April 18 motion that all delegates declare whether they were "personally interested" in the claims of any of the land companies, see *JCC*, 22:191–94; and Madison, *Papers* (Hutchinson), 4:158–59.

[5] Lee's concern had also been articulated recently by South Carolinian Pierce Butler, who was then in Philadelphia. In an April 5 letter to James Iredell of North Carolina, Butler pointed to a decline in congressional authority and decried the lack of southern unity, which he felt was underscored by North Carolina's failure to maintain representation in Congress. "So greatly altered is this *once august body,*" Butler lamented, "that *as little as possible* is intrusted to them. And yet, among them are many individuals of the strictest honor, and great worth; but, *as a body, there is little dependence to be placed on them.* The *Northern interest* is all prevalent; their members are *firmly united,* and carry many measures disadvantageous to the *Southern interest.* They

are laboring hard to get Vermont established as an independent State, which will give them *another vote*, by which the balance will be *quite destroyed*. In the midst of these great struggles between the Northern and Southern interests, *the issue of which is of such consequence to the Carolinas and Georgia*, your State remains *totally unrepresented! Unpardonable neglect!* We of the South, who consider ourselves as embarked in the same vessel with you, complain loudly of the desertion of our sister. *This Vermont business is a shameful and scandalous affair.* Governor Clinton, of the State of New York, by a *meritorious vigilance*, has intercepted letters and papers that reflect no credit on some individuals of Congress. *I believe it is beyond a doubt that Witherspoon and some others have received large tracts of land, at least grants of them, from the Vermonters, to support their claim in Congress.* Some inhabitants of this town, it is said, and generally believed, are concerned in encouraging the Vermonters to support their claim, *even by arms.* Where will villainy stop? *In my opinion, Congress are not authorised to admit them as an independent State. The Confederation expressly excludes every part of America, except Canada.* There are men in the world that care not what engagements or compacts they violate, if they can but accomplish their own ends." McRee, *Iredell Correspondence*, 2:9.

Samuel Livermore to Meshech Weare

Dear Sir, Philadelphia April 22nd. 1782.

I applied to the Secretary for your commisns. He told me had sent you some abt. the begining of March, perhaps in answer to your letter;[1] but to remove all doubts, I told him to put up a few more, which are herewith sent.

You have been informed of my desire to leave Philadelphia abt. the begining of May. I was in hopes my intended successors would have been sent on, but your letters, and Col. Langdon's, shew me no probability of that, untill my return. The affair of Vermont is put by for the present, and their agents are gone home. The report concerning our quota of the 8 million dollers is committed to another committee. I hope it will be well considered & set right.[2] If that was got over, I should venture to resign my seat in congress: as there is great necessity of my paying a little attention to my own business. I shall find it necessary to make a small draft on you to carry me home. I suppose as the state has been repeatedly notified, through you, of my desire & intention to return abt. the first of May, there will be no umbrage taken at my resignation. I would be glad to avoid every thing of that kind, which made me so particular with you, and Col. Langdon, upon the subject.

Tis probable you will receive my resignation by next post;[3] And yet I dont know that this is necessary: I dont know the custom in such cases. I wish at all events the delegates to come on as soon as possible.

I have the honour to be, Your most obedt. humble servant.

Samuel Livermore

RC (Nh–Ar: Weare Papers).

[1] Charles Thomson's March 5 letter to Weare, enclosing "twelve [*privateer*] commissions with bonds & instructions" in response to Weare's February 19 request for a new supply, is in PCC, item 18, fol. 21; and the Weare Papers, MHi.

[2] See *JCC*, 22:185–90; and Livermore's first letter to Weare of April 16, note 2.

[3] See Livermore to Weare, April 29, 1782.

Theodorick Bland to St. George Tucker

April 23d 1782

It is reduced to a certainty that terms for negociating a general Pacification have been offerd by the Mediating to the Belligerent Powers obliquely including the U.S. but rejected by G Britain in an apologetical Memorial, with which the High Mediators (the two Imperial Courts) do not seem well Satisfied—especially as France has Signified with Singular moderation her willingness to accept them for the sake of Peace, how wise! how Politic! how magnanimous! That nation seems determined to form the most striking contrast to the Character & conduct of Britain with what superior dignity does she rise and lift up America with her as it were to shew her to the astonished World. I find the Picture is eight Guineas instead of six as we supposed—you may pay the two guineas (Surplus) to Mrs. Bland—it will help her on. Give my love to Fanny—God Bless you.

RC (ViW: Tucker-Coleman Papers). A continuation of Bland to Tucker, April 19, 1782.

Elias Boudinot to Lewis Pintard

My dear Sir. Philadelphia Aprill 23d 1782

On full Consideration, I am clear of opinion that your Presence here will be necessary for the purpose you mention. I will mention my Plan, then you can do as you think best. As I am to tend the Superior Court at Trenton on the 2d Tuesday in May and as I shall want to be at Princeton a Day or two before Court, I shall wish to leave this on the Thursday or Friday before. The Stage leaves Princeton about Nine oClock on every Tuesday & Thursday—and the Coach leaves it at the same hour on Saturdays. From this State I think you had best leave home with the Waggon on the first day of May—leave the Waggon at Princeton & either take Horse or get into the Stage the next Morning and you will be here by Night, by which means you may stay here from Thursday the 2d May till Thursday the 9th. We will then return to Princeton in the Stage Coach all together. The only objection to this Plan is leaving the Horses at

Princeton, where they are scarce of Forage. This will be remedied, by getting some Farmer in the Neighbourhood to keep them. Perhaps Colo Morgan who wants Horses, would keep them for their work. You can take the Mare, but Elisha told me at Trenton the Horse was going the way of all Flesh, so I can say nothing about him.

I cannot give you any Encouragement, about the Commodity in Mr F's Hands. Flour may be had for Cost at 14., Tea is 10/ & 12/ by the Box and rising.

I wish you to tell Josey, to have the Dung beat to pieces & spread over the Grass piece by the Barn, and all the Stones picked up. Some place ploughed for Corn to be well dunged very richly in the Hills—either below where the Corn was last Year, or rather over the Bridge where the Rye was Sowed, which will only want furrowing, unless Baird should chuse to sow or plant it to the halves which I promised him last fall—then it must be below the Barn.

I shall retain the Ministers Acct. We were yesterday amused by an Acct. in an Eastern Paper, that a Treaty has been perfected between Holland, France & America. Our letters are recd. so late, but they have a good Complection—Count de Guichen is arrived in the West Indies, 12 Sail of the Line & 10000 Men.

Mrs. B. wants Molly to send by you her white Cloak to ride home in. Mr Baird writes me to know if I will let him have 40 Bushels of Corn from Mr. Rickey. You may give him an order for as much as he wants, provided he *first* pays you the Cash for it at the Price other People sell at in the Neighbourhood.

Mrs. B. & Susan join in kindest Love to Sister, Mrs. P., Johnny, Molly and the Family.

Mrs Robertson has got into her House & is very well.

Am my Dr Sir, Yours Affectly, E B

[*P.S.*] I wish you would bring with you a Scalping Knife & Case [which] you'll find in the office in the Pigeonholes of the Desk. [. . .] it as a Present to a Virtuosi here.

RC (PHi: Boudinot Papers).

William Floyd to George Clinton

Sir, Philadelphia April 23d, 1782.

. . . . A Report of a Committee of 5 on the application of the Commissioners from the pretended State of Vermont, is now on the Table;[1] the purport of it is; that as those people have Complied with the Resolves of Congress of the 20th of August last that Congress Should Now Receive them Into the union. But as the Sentiments of this house now Stands, I think they cannot Carry nine States for the

Report. We are Anxious to know what Laws our Legislature has passed Respecting the Grants at their last meeting, and your Excellencys opinion of their probable Effects.

The Question for Accepting the Session made by our State, to the United States, of the Land to the Westward is now under the Consideration of Congress, and will I expect be Determined in a few Days and from what I Can Collect of the Sence of the house It will be agreed to, and I believe at the Same time the Cession made by Virginia will not be accepted it being Cloged with Some very Disagreable Conditions, besides Reserving to themselves an unreasonable Extent of Country which it is thought by many they have no Just Claim to.[2]

For the News I must Refer you to the Inclosed papers.

MS not found; extract reprinted from Burnett, *Letters*, 6:334.

[1] Congress had refused on April 17 to set a date for consideration of this report. *JCC*, 22:185–90.

[2] See James Madison to Thomas Jefferson, April 16; and Virginia Delegates to Benjamin Harrison, April 17, 1782, note 3.

James Madison to Edmund Pendleton

Dear Sir
Philada. Apl. 23d. 1782

We have had here the same reports of the evacuation of Charleston which your letter of the 15 recites,[1] but the wished for confirmation is still wanting. That it will take place in the course of the Campaign cannot I think be doubted if the military succours are yielded by the states in any proportion to the call for them & the maritime superiority of our Ally in the W.I. should keep up the apprehensions of the British Garrisons from that quarter. This superiority was for a while somewhat endangered by the arrival of Rodney before the Brest Fleet. It is now said though upon very unauthentic grounds, that the latter with a large reinforcement of land troops is safe at Martinique. This augmentation of the French force with that of Spain, to say nothing of the Dutch which is also said not to be contemptible, must submit every thing that is British in that quarter to the mercy of their Enemies.

We have recd. some communications from Europe, but none of them are of late date. It appears from them that the pride & stubbornness of the British Court had rendered abortive the mediatory purposes of Vienna & Petersburg. Unless therefore the misfortune in Virga. sd. have broken their spirit as well as blasted their hopes, and made them suitors for a renewal of the interposition of these Courts, no immediate expectations can be retained from that quarter. Nothing is said with regard to the separate negociation betwe[en] England & Holland. The recapture of the possessions of the latter with other circumstances has so entangled her with France that it will be very difficult for her to accomplish a separate pacification, even if she should be disposed to it.

Vermont & the Western lands are still the themes which exercise our politics within doors. The Committe to whom the last application of the former to be admitted into the Confederacy was referred have according to expectation, reported that the measure is warranted by the Articles of Union & required by the engagements of Congress to them & expedient in itself. The true secret is that the Vote of Vermont is wished for as an auxiliary agst. the Western claims of Virga. Some of the small States may indeed wish for it also as an auxiliary to their party, but no other motive can prevail with D. & M.[2] Some of the E. States which are anxious for the admission of Vermont see this and impede the adjustment of Western boundaries on the ground of the Cessions, lest that event should be followed by a secession of those 2 States. The radical impediment however is the influence of the land companies. We have in the course of the week past very sensibly experienced this influence.[3] As no answer had yet been given to the Cession of Virga. & the Legislature is shortly to meet, the Delegates thought it proper & accordingly proposed that the determination of Congress on that subject should without delay be come into. Every artifice that could perplex the case was immediately exerted: and it is extremely contingent, whether we shall be able to obtain an explicit answer to our reasonable request. We shall however continue to press it till Congress take some step which will either directly or indirectly, positively or negatively decide on the case & let the State know on what ground it is to form its measures.

Mr. Lee sets off tomorrow morning in order to be ready for his duty at Richmond. Mr. Jones will follow about a week hence. I regret much that Mr. Randolph's unnecessary return to Virga. will in consequence expose her vote to the risk of division.[4] I shall urge him to face about again & wish for the co-operation of yourself & his other friends. Unless the A—y[5] remove his apprehension of pecuniary distress his past experience will it is little to be doubted render him callous to every argument on that subject.

I am Dr. Sir very sincerly yrs. &c. J Madison

Reprinted from Madison, *Papers* (Hutchinson), 4:177–78.

[1] For Pendleton's letter, see ibid., pp. 151–52.

[2] That is, Delaware and Maryland.

[3] See, for example, Arthur Lee to Samuel Adams, April 21, 1782.

[4] For the departures of Edmund Randolph, Arthur Lee, and Joseph Jones, see Madison to Thomas Jefferson, March 18, note 6, and Lee to Adams, April 21, note 1. Until Lee's return on June 27 only Madison and Theodorick Bland remained to represent Virginia. Madison's concern was realized on four occasions when their vote was divided—on another Bland was absent. See *JCC*, 22:242, 286, 294–95.

In Virginia Randolph wrote a May 16 letter to the speaker of the House of Delegates explaining that "I should have offered myself to the general assembly for the purpose of information, had not my colleague, Mr. A. Lee, been a member of the house of delegates. From him you will learn the posture of public affairs, the prospect of peace, as it is to be found in the temper of our ally, the mediating powers or our enemy, the state of our army and navy, the expenditure of money, the settlement of accounts, subsisting prior to the completion of the confederation, the operations of the bank, the provision made for the discharge of monies loaned, and the erection of a mint. The temper of congress with regard to Virginia and the motives of several resolutions can also be shewn by him." Executive Communications, Vi. Later the same day he explained to Madison that "I had a decent opportunity for avoiding examination before the house, by substituting Mr. Lee in my stead for every occurrence, which happened after his arrival at congress. I have taken care however to procure an audience for myself, if the resolution against British goods should be impeached." Madison, *Papers* (Hutchinson), 4:247–48. For the "resolution against British goods," see ibid., 3:338–39; and John Hanson to the States, January 6 and 11, 1782. For other aspects of the problem of controlling illicit trade with the enemy, see Virginia Delegates to Benjamin Harrison, April 2, note 1; and Charles Thomson to the States, May 23, 1782, note 1.

[5] That is, the Virginia General Assembly.

James Madison to Edmund Randolph

Dr Sir Philada. Apl. 23d. 1782

I am at length assured of your safe arrival at your destination by your favor of the 11 continued on the 13th.[1] The little necessity I understand there was for your return to Virga. makes me exceedingly regret that you cd. not be diverted from it; as the little occasion there is likely to be according to Mr. Pendleton's idea of yr. continuance there flatters me that it will not be long before you resume your Station in Congress.[2] This duty may be the more enforced upon you, as Mr. Lee leaves us this morning & Mr Jones will follow in a few days. The vote of Virga. will in consequence be in all questions exposed to the chance of division. I am sensible of the plea which may be drawn from the emptiness of the public coffers; but I hope it will not be a permanent one, & that if you can only stay a few months with us you will not think the period unworthy of the expedition.

I informed you in my last that your draught was duly honored.[3] The advance was by no means distressful to me, but the prospect now before me obliges me to prefer repayment here to any other mode. It will not I hope make any difference with you. Mr Morris has recd. & answered your letter.[4] The return of the French Minister without visiting Richmond had no particular cause which I can explain. He expressed doubts on that point you may remember before he set out for Virginia.

Congress have recd from {the minister}[5] some informal communications relative to the issue of {the proposed mediation} of {Vienna and Petersburgh}. The {answer} of {the British court} to {the preliminary articles} is {among them}. It {rejects} explicitly that part of the {plan} which {requires concurrent negotiation between her} and {America} & {guaranties the result} as {incompatible} with {the relation} of {subjects} to their {sovereign} and {the} essential {interest} of {the empire, alleging} at the same time that a {part} of {the people are disposed} to {return} to their {allegiance} & that such a {treaty} wd. {supply the rebels} with {pretexts} for {misleading} them. The {final answer} of {the mediating courts} professes {great impartiality and} delicacy {toward the belligerent partys, adheres} to the {expediency} of the {first} & {hopes} that it may {still become} under more favorable {circumstances the basis} of {a general pacification}.

Another letter has come to hand from {Mr. Dana}. His {proposed rash} step was {probably} taken a {few days after the date} of {it} which was abt. the middle of {October}.[6]

The Committee on the last application from Vermont have reported fully in their favor. The consideration of the Report will not be called for however till the pulse of nine States beats favorably for it. This is so uncertain that the Agents have returned. The recognition of the Independence of Vermont is fully stated in the report as a resolution antecedent ev[en to?] authorizing a committee to treat with them on the terms of their admission. You well know the object of this arrangement.

You will be so good as to take charge of the inclosed letter [to] Mr Jefferson & give it a safe conveyance. Every one about me joins in[7]

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:180–81.

[1] See ibid., pp. 145–47.

[2] For Edmund Pendleton's opinion that for lack of business in Virginia's General Court, "the Attorney might as well have stay'd with you," see ibid., p. 152.

[3] Madison's "last," probably dated April 16, has not been found. Ibid, p. 181n.5.

[4] See Morris, *Papers* (Ferguson), 5:11.

[5] Words printed in braces in this text were written by Madison in cipher. For the cipher used by the Virginia delegates, see Virginia Delegates to Harrison, this date, note 5.

[6] The October 15, 1781 dispatch of Francis Dana, minister to the court of Russia, was received April 22, although it is not mentioned in the journals. See PCC, item 89, 2:598–605, item 186, 3:24. Although Congress had instructed Dana in December 1780 to be cautious in the presentation of his credentials, he had resolved, against the advice of the French ambassador in St. Petersburg, to present himself to the court at the first favorable opportunity, a "rash step" for which Congress rebuked him on May 27 by instructing him again to first seek "satisfactory assurances that he will be duly received and recognized." See *JCC*, 18:1170, 22:301; and Madison, *Papers* (Hutchinson), 4:182n.14, 274–75.

[7] Remainder of RC missing.

John Morin Scott to George Clinton

Sir,

Philadelphia April 23rd, 1782

. . . . I have the Honor to inclose You a Copy of the Report of the Committee of five, and the Proceedings thereon.[1] Every congressional Step on the Subject of the Grants is marked with the most evident Partiality of a Majority in favor of the Revolters; and against our State. This naturally occasions very animated Debates; in which we are faithfully supported by the friendly States. It really grieves Me that the Want of Money will oblige Me in a few days to abandon a Cause which I have so much at Heart. This however must infallibly be the Case, if a fresh Supply should not speedily arrive. But I have so repeatedly wrote in this Strain, that I shall henceforth be silent on that Head forever; and submit, if I should not be supplied in a few days, to the mortifying Necessity of abandoning my Seat in Congress.

When the Business of the Grants will be resumed I know not. But I am determined if enabled to Stay here, not to let it sleep long. I suppose however our adversaries mean *to appear* to dream over it, until We rouse them. This Conclusion I draw from the departure of the plenipoes of Vermont who have, without my Knowledge obtained a Copy of the inclosed Report; to enable them, I suppose to make a popular Use of it, in the Country; and excite a revival in the Minds of People, of their declining disposition in favor of Independence.

Since I had last the Honor of writing to You, the long dormant Report on the Proffered western Cessions has been taken up. When the Question shall be put Massachusetts and Connecticut will doubtless be agt. Us, on their ridiculous Claim to extend to the South Seas. When the Report was taken up, we had warm debates, not on that Part of it which concerns our State; (for it reports fully in favor of our Cession) but on that Part of it which respects the Conditional Cession by Virginia. By the Illness of the President of Congress,[2] Maryland is unrepresented, which was not the Case, when the Report was made the Order of the day. For this Reason the Business is postponed without day, to allow Time for the President's Recovery. This delay we thought it prudent to give into; as we have sufficient Evidence that Maryland will vote in favor of that Part of the Report which concerns our State. And I flatter myself that the Result will be an Acceptance of our Cession. I know not, Sir, whether You have ever been furnished with a Copy of this Report. Should it not be the Case, and You would be kind enough to inform Me of it, I will, if my speedy departure should not Prevent Me, do myself the Honor of inclosing a Copy of it for your Use.

The concurrent Resolutions of the Legislature of our State came to hand very unopportunely. A Report being then depending on a like Request in behalf of Connecticut, clogged with a Proviso in the Report, that the request be complied with, on Condition of their first filling up their continental Battalions.[3] Their deficiency is great. It amounts to upwards of 1400 Men, by the last returns in the War office; which is but one half of their Quota. They moved for striking out the Proviso, and substituting a Proposition in its stead. In the Course of the debate a Copy of their Act for filling up their Line was introduced, with a round assertion that it had made effectual Provision for filling up their Line; tho' when it came to be examined, it enacted no more than a Fine of £15 for delinquencies, and a draft in the last resort, for a short Service till the fall. This, with other Matters I took some pains to collect, convinced Me that they intended to apply their proposed ten Companies towards filling Up their Line. This was thoroughly seen thro' by the Majority; and the whole Report was rejected. We must therefore bring on some general Plan, which will refer to all the States; as there is no Reason to hope for a special discrimination in our Favor. In the Mean Time, your Excellency's known Zeal and Ardor, in compleating our Line, and providing for the defence of our Frontiers, would render it impertinent in Me, to urge the Necessity of the utmost dispatch as to both. . . .

MS not found; reprinted from Burnett, *Letters*, 6:333–34.

[1] See William Floyd to George Clinton, this date, note 1.

[2] For President Hanson's 'Illness,' see Hanson to Phillip Thomas, April 27, 1782.

[3] For the Connecticut request for Continental support of additional troops, see *JCC*, 22:196–200; and Connecticut Delegates to Jonathan Trumbull, March 2, note 2, and April 29, 1782.

Virginia Delegates to Benjamin Harrison

Sir Philada. April 23d 1782

Your Excellency's favor of the 12th came to hand yesterday. There is at present no Delegate here from N. Carolina. As soon as one arrives, we shall apprize him of the want of Commissions suggested by you.[1]

The office of the Superintendant of Finance does not contain the information you wish relative to the amount of payments made by the States in the new Continental bills, no regular returns having been yet transmitted thither. As far as the portion of these bills allotted to the use of Congress, shall be unissued, as also as far as the requisitions made in them on the States shall be unpaid, they will constitute a charge agst. the States respectively. But the rate at which they are to be charged is yet to be determined by Congress.[2]

The Delegates have long had it in charge from the Executive to provide a conveyance to Virginia of certain Stores taken on their passage from France & carried into Boston or if that could not be accomplished, to have them sold. They lye in the hands of Mr. J. Bradford formerly an agent for the U. States. We have written various letters to him on the Subject, & recd. various answers without being able to fulfill either of the alternatives. The first indeed has been long relinquished. Our last letter requested him peremptorily to sell the Stores & remit the amount. The inclosed paper No. 1. is his answer, on which we shall await the pleasure of the Executive.[3]

We have again endeavored to obtain from Congress some explicit decision on the territorial cession of Virginia that the Assembly may not again be left in uncertainty on that subject. The sickness of the Presidt. which suspended the Vote of Maryland furnished a pretext for postponing the business which we judged it prudent to yield to. As soon as he returns to Congress which will probably be in a few days, we shall renew our proposition and continue to urge it till we obtain in some form or other such evidence of the purpose of Congress as will be satisfactory to the State.

Early in the last year a plan was formed by the Courts of Vienna & Petersburg for bringing about a general pacification under their mediation. The preliminary articles which were proposed with this view to the belligerent powers are copied in the inclosed paper. No. 2.[4] Congress have just received from {the minister of France some informal communications}[5] relative to {the} is{sue} of this {pacific} experiment. Among {them} is {the answer of the British court given} in {June last}. It {explicitly} and {emphatically re[j]ects} that part of the {plan} which {relates} to the {negotiation between her} and {the colonies} and {guaranties the result} as {incompatible} with {the relation} of {sub[j]ects} to their {so[v]ereign} and {the} essential {interests} of {the empire; alleging} at the same time that a great {part} of {the Americans are disposed} to {return} to their {held [al]legiance} and {that such step} would {furnish the rebel chiefs with fresh means} of {nourishing the [re]bellion} and {confirming} their {usurpe[d] au}thor{rity. The final answer} of {the me[diat]ing courts} professes {great impartiali[ty] and} delicacy {toward the beligerent partys, adheres} [*to*] {the expediency} of the {first plan} &

{hopes} that it may {st[ill] become} under more favorable {circumstances the basis} of {a general pacification}.

We have the honor to be with great esteem and respect, Your Excellency's Obt. & hble. servts.

J. Madison Jr.
Theok. Bland Jr.
Jos. Jones

RC (Vi: Continental Congress Papers). Written by Madison and signed by Madison, Bland, and Jones.

[1] In his letter of April 12, Harrison had requested privateer commissions from the North Carolina delegates since he was frequently asked to commission "vessels fiting out in and belonging to North Carolina which from some abuses that have been practiced I have refused." Madison, *Papers* (Hutchinson), 4:149. North Carolina, however, did not have a representative in Congress until July 19. See *JCC*, 22:401.

[2] For information on this issue, see Madison, *Papers* (Hutchinson), 4:123n.2, 140–41nn.3 and 6, 175nn.2 and 3.

[3] For John Bradford's March 20 letter to the Virginia delegates, see ibid., pp. 107–8.

[4] For this enclosure and a number of other documents bearing on the proposed Austrian-Russian mediation, see Madison, *Papers* (Hutchinson), 4:176nn.6 and 12.

[5] Words printed in braces in this text were written by Madison in cipher. For the adoption and transmission of the official Virginia cipher, see Virginia Delegates to Thomas Nelson, October 23, 1781, note 2, and to Harrison, February 15, 1782, note 3. In an April 22 letter to Harrison, returning delegate Edmund Randolph informed him that "I yesterday delivered to Mr. [*Foster*] Webb the cypher, prepared for the correspondence between the executive and the delegates of Virginia in Congress. It is formed upon the principles of the French cypher, and may, I believe, be said to be inscrutable." Continental Congress Papers, Vi. The four-page "Chart of Cyphers," which is also in the above papers, comprises 846 words, syllables, letters, and symbols arranged by number, for decoding, and alphabetically, for encoding. The decoding portion has been printed in Ralph E. Weber's *United States Diplomatic Codes and Ciphers, 1775–1938* (Chicago: Precedent Publishing Inc., 1979), pp. 357–62. For a discussion of the official nomenclator employed by the Virginians in 1782–83, see ibid., pp. 93–97. For their occasional reliance upon alternate codes, see James Madison to Edmund Randolph, July 16, 1782, note 3.

John Hanson to Philip Thomas

Dear Doctr Philadelphia April 27th 1782

I have received your Several favours by Mr Adams, Colo Rawlings and Colo Williams. Colo Rawlings has paid me £21 for which I am much obliged to you and it Shall be immediately paid to Doct. Dulaney. I have lately had a most Severe fit of Sickness but thank God am so far recovered as to be able to ride out—Little Caty has had Several fits of the Ague & fever but as every fit is more moderate am in hopes she will soon get rid of it. She rides out with us every day. Your mother thank God is recovering her health tho' she has been a good deal fatigued since my illness and that of Catys. Colo. Williams is now here Anxious about his promotion which I think there is little Doubt of. His own merit as an Officer and the strong recommendation he has from General Green, must prevail.[1] I am very glad to hear Ned Barnes is at H Hansons. You Will be pleased to Sell him for the most you Can get one half down and the rest in a twelve month on Interest. The price I before Set on him You will remember was £200 but would fain hope he will fetch at least £150. It will be to no purpose to send for him to Frederick as I suppose he would not stay. I am hardly able to write and must Conclude by tendering our love to you and the Dear little ones.

Dear Doct. Yours most Affectionately, J H

[*P.S.*] Layler has disappointed me twice about your hat but hope to have it ready to send by the next Oppertunity. My Compliments to Capt Bayley and tell him I am sorry I cant oblige him by letting him the use of my house being very uncertain when I may want it.

RC (MdHi: Hanson Letters)

[1] See Hanson to Thomas, January 29, 1782, note 3.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir Philadelpa. 29th April, 1782.

Your Excellencys Letter of the day[1] of February last inclosing the Acts of the Assembly respecting the paying and Subsisting at the general Expence Ten Companys proposed to be raised by the State was recd. by Congress—Upon which a Committee was Appointed to take the matter into Consideration with an Instruction to conferr with the Commander in Chief. This Committee after a longer delay than might have been expected brot in a Report. That it was the Opinion of the Commander in Chief that the State of Connecticut, was in similar Circumstances to that of N York (who had been allowed militia Regiments at the continental Expence)—And thereupon they reported—That the Ten Companys should be paid and Subsisted at the Expence of the States, but annexed a Proviso that it Should be upon Condition that the State should first fill up their Line in the Army. When the matter came before Congress We observed that the Proviso would defeat (if agreed to) every Benefit which the State might otherwise expect from the Resolution, for if the State should fail of furnishing every Recruit, a Circumstance which it was most unreasonable to expect, as no line since the

War, nor any Army Ordained to consist of a definite number ever was compleat. The Proviso therefore might be considered as impossible in the performance. The Propriety of this Objection seemed to be very generally admitted.

But as We were sensible that the Subject would meet with considerable opposition, and that much stress would be laid upon the Increase of officers beyond the Proportion of the Privates And that no Troops ought to be at the general Expence but such as were altogether under the orders of the Commander in Chief, and as We had an intire Confidence in his Wisdom and Justice—We offered an Amendment to the Proviso—That no more officers Should be paid and Subsisted than in Proportion to the overpluss Number, of the Non Commission Officers and Privates computing both those of the Line of the Army and the new Levies—And that the Ten Companys should be under the orders of the Commander in Chief to operate anywhere within the United States. Other Gentlemen offered Amendments to that which we proposed without any Material Variance. On these Amendments which Were essentially the same, Votes were taken but none were agreed to, on one of them the Question was lost by a single Vote of the State which was divided. The Question was then put upon the original Resolution and rejected.

The Objections against the Application were that Should Congress comply with it others of a similar Nature would be made—That if the Lines of the Army were compleat which ought to be insisted upon such extra aid would be unnecessary—That the Condition of the Finances would not Admit of new Demands—That the adoption of such a Measure would seem to exclude the Idea of making the Exertions of particular States for their own Defence an object of publick Charge except in Cases which had been specially provided for by Congress. We observed that if any other State was equally exposed which but Very few were they would merit an equal Protection—That our Experience must compel Conviction that the Lines would not be full and that We proposed No Expence in support of officers but in proportion to the Number of Privates—That the State exposed as it was Ought not to be considered as able to furnish the pecuniary Aid required in Case she must be at the sole Expence of her own Protection—And that the Question was not wheither All the Expence of individual States for their Defence should be made a common Charge but who in the present Case ought to pay it in the first Instance. We represented the Condition of the State, and compared its Situation and the protection it recd with those of others But were sorry to find that our Efforts to support a Measure which to us appeared reasonable, was not attended with more success.[2]

We have no material News to communicate to your Excellency. The great naval Armament in the West Indies lead us to expect that

Events of an interesting Nature will take Place in that Quarter. We might perhaps mention what your Excellency may not have been fully informed of, that the Court of London has refused the Mediation of the Emperor and Empress, upon the Condition that America shall be an Object of the negotiation, so that the Business of Peace will be deferred till after another Campaign.

We feel ourselves disappointed that the other Gentlemen in the delegation are not here to relieve us. Mr. Wolcott is about to Return.[3] Mr. Law has so depended upon messenger Browne's being here before this Time, that from an Accident depending upon that circumstance, he will be compelled to tarry a little longer. We hope that your Excellency will Accelerate the Other Gentlemen to come forward, as the State ought to be represented. We are with the highest respect, your Excellency's Most Obedt. humble Servants.

Oliver Wolcott

Richard Law

[*P.S.*] A Contract for furnishing the Army for this Campaign has been made—the Rations to be furnished in the State of N York at 8d our money each—some variation from these if troops shall be furnished more easterly.[4] There are two Gentlemen of N England concerned in the Contract—Mr. Edwards of Stockbridge and Mr. Phelps of Greenvil. The Bourbon Frigate will be finished.[5] Mr. Morrice had not a few days ago determined upon his Nomination of a Commissioner to settle the Accounts of the State against the U States.[6] It is not intended that any Commissioner shall be appointed for the State to which he belongs. Mr. Burral will doubtless be appointed by the Superintendant to settle the Accounts of the Commissary's Department.

RC (Ct: Trumbull Papers). In the hand of Wolcott and signed by Wolcott and Law.

[1] That is, 21st.

[2] See Connecticut Delegates to Trumbull, March 2, note 2; and John Morin Scott to George Clinton, April 23, 1782.

[3] Wolcott actually left Philadelphia this day. See Law to Trumbull, April 30, 1782.

[4] See Morris, *Papers* (Ferguson), 4:525–33.

[5] See ibid., 4:580–81, 5:48–49.

[6] Melancton Smith of New York was ultimately appointed to this post. Ibid., 5:189–90, 338.

Samuel Livermore to John Hanson

Dear Sir Philadelphia 29th April 1782

Having seasonably notified the state of New hampshire that I should, with their approbation, resign my seat in congress about the first of May; and the state having chosen other delegates to represent them in congress, I have this day sent my resignation to the President of said state,[1] and can therefore no longer consider myself as invested with the powers of a delegate in congress.

I have the honour to be with the highest sentiments of esteem, Your most obedient servant, Samuel Livermore

RC (DNA: PCC, item 78).

[1] See the next entry.

Samuel Livermore to Meshech Weare

Dear Sir Philadelphia 29th Apr. 1782

As I have sundry times intimated in my letters that I should be under necessity to leave Congress about the first of May; and as there is nothing at this time before Congress wherein I can be of any immediate service to the state of Newhampshire: and as other delegates are appointed to represent the state, I therefore now resign my seat in the Honourable Congress of the united states & no longer consider myself as your delegate. I sincerely and gratefully acknowledge the high honour done me by the state in this repeated appointment, and shall always think it an honour to serve them in case they shall call for my services.

I have the honour to be, Your most obedient servant,

Sam Livermore

RC (MHi: Weare Papers).

John Hanson to Philip Thomas

Dear Doct. Philadelphia April 30th 1782

I thank you for your favour of the 21st. I am much obliged to Colo. Deakins for his Kindness in undertaking to Correct the Erroneous Certificates you mention. Shall write to him to impower him to do what is necessary with them and also with any others that may Upon Examination be found to want Correction. I wish you Could find the fee Book. It is a little Book with a parchment Cover and fee Book wrote on the Back of it. It is Certainly some where among the Books. Mrs. Hanson does not remember her putting any Books in the Locked Garet, however if it Cant be found it would be best to open the Door and have a new Key made or another Lock put on. I should be very sorry that any person should Suffer for want of their Certificates being returned to the Land office and if the fee Book Cant be found, would have you deliver the Certificates on application. I Am not yet perfectly recovered, am Generally feverish—began this morning to take the Bark, which with the help of Exercise I am hopes I shall in a few days be restored to my former health. Poor little Caty has not yet lost her Ague and fever. She rides with us every morning and the Ague Comes on every day about one oClock. Doctr Bond makes light of it and thinks that the Ague at this season of the year rather favourable much better than to have a fever without the Ague. Am in hopes it will soon wear off. I wrote you by Colo Rawlings. Inclosed you have the last paper. I can Scarce write. Your mother thank God is pretty well. Our love to you and Dr little Beck and John. J H

RC (MeHi: Fogg Collection).

Richard Law to Jonathan Trumbull, Sr.

Sir, Philadelphia, April 30, 1782.

As Genl Wolcott set off yesterday on his Return home, Connecticut is now unrepresented—am much disappointed the Gentlemen have not come forward agreable to the Encouragement your Excellency was pleased to give in your last. Tis now neer seven Months have ben absent from home, and shall return as soon as Mr. Brown arrives, by whom expect a Horse for that purpose.

Since ours of Yesterday, nothing Material has occurred—except some foreign Communications from the French Minister which will be officially communicated to your Excellency by the Secretary of foreign Affairs—the substance of which I beg leave to hint is—That, thó the Mode was not fully concluded on, yet that his Most Christian Majesty was determind to give us the most effectual Aid, to enable us the ensueing Campaign to exterpate our Enemies, wholly from our Land—and that the States relying upon such Assistance might be induced to make their utmost Exertions to cooperate therewith—that Attempts would be made by the British Court, to negotiate with the States separately—in order if possible to weaken and divide us, and to strengthen the impression they have ben endeavouring to make upon the Mediating Powers that America was not firmly & fully fixed in her Independance, but still retaind an *Animum Revertendi*, a wish to Reconciliation could She but emancipate from the Usurpation of Power, which she now labours under.[1]

Inclose you the News Paper of the Day—and remain with the highest Sentiments of Esteem & Respect, Your Excellency's Most Obedt. humble Servt. Richd Law.

RC (Ct: Trumbull Papers).

[1] This intelligence from La Luzerne was communicated to the states in a letter from Robert R. Livingston of May 2. See *JCC*, 22:221–23; and Wharton, *Diplomatic Correspondence*, 5:393–95.

Virginia Delegates to Benjamin Harrison

Sir Philada. April 30th 1782

We have not the honor of acknowledging any letter from your Excellency by yesterday's post.

Congress received yesterday some {supplemental communications}[1] through the channel mentioned in our last.[2] They speak on the part of {our ally much regret at the thinness} of {our military ranks}; insinuate {the idea} of {cooperating with us in expelling the enemy from their remaining posts within the United States} and observe that {G. Britain} still {reckons much on her numerous friends} in {this country} & will {spare} no {means} of {increasing them}. It is supposed in particular that {experiments may be made} to {seduce the states to separate negotiations}. The whole {concl[ud]es with} fresh {assurances of the unalterable adherance of his most Christi[an] Majesty to the principles} of {the alliance}.

Our last intelligence from Europe & the West Indies comes through the British Gazette of N York and is contained in the inclosed Gazette of this place. The fall of Minorca may be received thro' that channel without distrust. The blockade of the French Fleet at Martinique is probably an invention to soothe the distress resulting from that Fresh misfortune.

We have the honor to be with sentiments of great regard & esteem, yr. Excelly's obt. & hble servts.

J. Madison Jr.

Theok. Bland Jr.

Jos. Jones.

RC (Vi: Continental Congress Papers). Written by Madison and signed by Madison, Bland, and Jones.

[1] Words printed in braces in this text were written by Madison in cipher, for which see Virginia Delegates to Harrison, April 23, 1782, note 5.

[2] For these communications from the chevalier de La Luzerne, see the preceding entry, note; and Madison, *Papers* (Hutchinson), 4:192–93.

Arthur Middleton to Ralph Izard

[April ? 1782][1]

Majr. B.[2] with whom I have eat daily & with much pleasure spent the greatest part of my *Idle* Hours (of leisure) a few days since remov'd into the Country; Mrs. B. some weeks ago presented him with another Son. He has a family of such fine Children that I hope he will still encrease it. I dined with them yesterday and they were all well, & I desired to be remembered to all their friends [when?] he writes.

Present my affectionate Compliments to Mrs. Z, I observe what my Maria write concerning her,[3] & hope she may yet find me the friend she is kind enough to suppose me.

Many Endeavors have been made to procure publick Assistance to Gen. Greene, but none has hitherto succeeded so far as to give a probability of seeing anything effectually [done]. Orders are issued to the Secretary of War and Superintendent of Finance to take measures for Supplying the Southern Army with necessaries by Land or ——— But I have not heard of anything being done in Consequence & from their apparent Temper I cannot say I hope for much.

It is an unwellcome reflexion that our Security must in great measure depend upon the Evacuation or forbearance of our Enemy.[4]

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] This letter was undoubtedly written in late April or early May 1782 because of Middleton's reference in the third paragraph to the "Orders . . . issued" to Benjamin Lincoln and Robert Morris for "supplying the Southern Army" adopted on April 20, for which see *JCC*, 22:201–2.

[2] Maj. Pierce Butler.

[3] The references are to Izard's wife, Alice DeLancey Izard, and sister (Middleton's wife), Mary Izard Middleton.

[4] Middleton also drafted the following notes for a letter to an unidentified South Carolinian, perhaps Charles Cotesworth Pinckney, at about this same time. Two documents mentioned in the manuscript—Nathanael Greene's letter of March 11 and Vermont's accession "to the preliminary resolve of the 20th August"—were received by Congress on April 20; and Middleton was awaiting the arrival of John Rutledge, who took his seat in Congress on May 2, 1782. The departure from Philadelphia of Gen. William Moultrie—who, Middleton wrote, "sets out this day"—could not be determined. Recalling the event some twenty years later, the general noted only that he had set out with his family "early in April." William Moultrie, *Memoirs of the American Revolution*, 2 vols. (New-York: Printed by David Longworth for the Author, 1802), 2:354.

"Hall is coming there who says that 12,000 Troops and 17 Spanish ships are waiting for the French to go against Jamaica.

"[J.?] to hear of Pendleton & Hyrne.

"Account of the arrival of Dunmore and Thomson at New York

"Genl. Moultrie sets out this day.

"His by Cochran [. . .] should have his by Motte *but* Darrell.

"Hope the war will be finished in the West Indies.

"Evacuation not so *probable*.

"His in Haste by Motte be disappointed in sending it.

"Genl. Greene's letter 11th March [fear?] so badly off in everything. We are much obliged to him for speaking so plainly.

"Anxious for the arrival of J R as I cannot come until he comes.

"Vermont has acceeded to the preliminary resolve of the 20th August and sent down Delegates in Expectation of being admitted—letters from those Delegates. *Revolutionist.*"

James Madison's Observations

May 1st. 1782.

The two great objects which predominate in the politics of Congress at this juncture are I. Vermont. II. Western territory.[1]

I The independence of Vermont and its admission into the Confederacy are patronised by the Eastern States (N. Hamshire excepted) 1. from antient prejudice agst. N York. 2. the interest which Citizens of those States have in lands granted by Vermont. 3. but principally from the accession of weight they will derive from it in Congress. N. Hamshire having gained its main object by the exclusion of its territory East of Connecticut River from the claims of Vermont, is already indifferent to its independence, and will probably soon combine with other Eastern States in its favor.

The same patronage is yielded to the pretensions of Vermont by Pennsylvania & Maryland with the sole view of reinforcing the opposition to claims of Western territory particularly those of Virginia and by N. Jersey & Delaware with the additional view of strengthening the interest of the little States. Both of these considerations operate also on Rhode Island in addition to those abovementioned.

The independence of Vermont and its admission into the Union are opposed by N. York for reasons obvious & well known.

The like opposition is made by Virginia, N. Carolina, S. Carolina, and Georgia. The grounds of this opposition are. 1. an habitual jealosy of a predominance of Eastern Interests. 2. the opposition expected from Vermont to Western claims. 3. the inexpediency of admitting so unimportant a State, to an equal vote in deciding on peace & all the other grand interests of the Union now depending. 4. the influence of the example on a premature dismemberment of other States. These considerations influence the four States last mentioned in different degrees. The 2 & 3 to say nothing of the 4 ought to be decisive with Virginia.

II The territorial claims, particularly those of Virginia are opposed by Rhode Island, N. Jersey, Pennsylvania, Delaware & Maryland. Rhode Island is influenced by her opposition by 1. a lucrative desire of sharing in the vacant territory as a fund of revenue. 2. by the envy & jealousy naturally excited by superior resources & importance. N. J., Penna., Delaware, Maryland, are influenced partly by the same considerations; but principally by the intrigues of their Citizens who are interested in the claims of land Companies. The decisive influence of this last consideration is manifest from the peculiar, and persivering opposition made agst. Virginia within whose limits those claims lye.

The Western claims, or rather a final settlement of them, are also thwarted by Massachussetts and Connecticut. This object with them is chiefly subservient to that of Vermont, as the latter is with Pennsylvania & Maryland to the former. The general policy and interests of these two States are opposed to the admission of Vermont into the Union, and if the case of the Western territory were once removed, they would instantly divide from the Eastern States in the case of Vermont. Of this Massachussetts & Connecticut are not insensible, and therefore find their advantage in keeping the territorial Controversy pending. Connecticut may likewise conceive some analogy between her claim to the Western Country & that of Virginia, and that the acceptance of the cession of the latter, would influence her sentiments in the controversy between the former & Pennsylvania.

The Western claims are espoused by Virga., N & S Carolinas, Georgia & N. York, all of these States being interested therein, S. Carolina is the least so. The claim of N. York is very extensive, but her title very flimsy. She urges it more with the hope of obtaining some advantage, or credit, by its cession, than of ever maintaining it. If this Cession should be accepted, and the affair of Vermont terminated, as these are the only ties which unite her with the Southern States, she will immediately connect her policy with that of the Eastern States; as far at least, as the remains of former prejudices will permit.

MS (DLC: Madison Papers). In Madison's hand and endorsed by him: "Observations relating to the influence of Vermont & the territorial claims on the politics of Congress. May 1. 1782." Madison, *Papers* (Hutchinson), 4:200–202.

[1] For the status of the Vermont question and western land cessions, see Virginia Delegates to Benjamin Harrison, April 17, note 3; Arthur Lee to Samuel Adams, April 21, note 4; and William Floyd and John Morin Scott's April 23 letters to George Clinton. It is not clear why Madison prepared these observations at this time—perhaps as an exercise in sorting through the complex issues involved or to provide Joseph Jones, who left Philadelphia the following day, with information for state officials. See Madison to Edmund Randolph, this date, note 5.

James Madison to Edmund Randolph

Dear Sir, Philadelphia, May 1, 178[2].

The case of the vessel captured within North Carolina was some time since remitted to Congress by Governor Harrison.[1] I am glad to find your ideas correspond so exactly with those I had advanced on the subject.[2] The legislative power over captures, and the judiciary in the last resort, are clearly vested in Congress by the Confederation. But the judiciary power in the first instance, not being delegated, is as clearly reserved to the Admiralty Courts of the particular States within which the captures are made. Captures made on the high seas must fall within the jurisdiction of the State into which it shall please the captor to carry them. It will be sufficient, I believe, to insert in the instructions to privateers, a clause for preventing the grievance complained of by North Carolina. The anger of Mr. Burke was erroneous in its principle, as well as intemperate in its degree. The offender being an officer of Congress,[3] and not of Virginia, Congress, and not Virginia, should have been resorted to for redress.

On a consultation before Doctor Lee left us, it was determined that we ought to renew our attempts to obtain from Congress a decision on the cession of Virginia, before the meeting of the Legislature. The attempt was accordingly made, and produced all the perplexing and dilatory objections which its adversaries could devise. An indisposition of the President, which suspended the vote of Maryland, furnished an argument for postponing, which it was prudent to yield to, but which is now removed by the arrival of Mr. Wright, a new Delegate from that State. We shall call again on Congress for a simple answer in the affirmative or the negative, without going into any unnecessary discussions on the point of right; and should the decision be postponed *sine die*, we hope the State will consider itself at liberty to take any course which its interest shall suggest.[4] It happens very unluckily that Virginia will only have two Representatives present during the interesting business. Mr. Jones cannot be prevailed on to wait the event.[5] Colonel Bland thinks the validity of charters unimportant to the title of Virginia, and that the title of the natives militates against the claims of the companies. Is not my situation an enviable one?

A letter which I received a few days ago from Mr. Jefferson gives me a hope that he will lend his succor in defending the title of Virginia.[6] He professes ignorance of the ground on which the report of the committee places the controversy. I have exhorted him not to drop his purpose, and referred him to you as a source of copious information on the subject. I wish much you and he could unite your ideas on it.[7] Since you left us I have picked up several pamphlets which had escaped our researches. Among them are the examination of the Connecticut claim,[8] and the charter of Georgia, bound up with that of Maryland and four others.[9] Presuming that a better use will be made of them, I will send them by Mr. Jones, requesting, however, that they may be returned by the hands of him, Dr. Lee, or yourself, as the case may be.

A further communication from the French Minister informs us, that the court of France laments the weakness of our army; insinuates the idea of co-operation in expelling the enemy from the United States; apprehends attempts to seduce the States into separate negotiations, and hopes measures will be taken to frustrate such views. I believe, from this and other circumstances, that the Court of France begins to have serious suspicions of some latent danger. It is extremely probable, that as the enemy relax in their military exertions against this country, they will redouble the means of seduction and division. This consideration is an additional argument in favor of a full representation of the States. In a multitude of counsellors there is the best chance for honesty, if not of wisdom.

The subject of Vermont has not yet been called up. Their agents and those of the land-mongers are playing with great adroitness into each others' hands. Mr. Jones will explain this game to you. Colonel Bland is still schismatical on this point. I flatter myself, however, that he will so far respect the united opinion of his brethren as to be silent. Mr. Lee entered fully into the policy of keeping the vote of Vermont out of Congress.

The refugees from New York have lately perpetrated one of the most daring and flagrant acts that has occurred in the course of the war. A captain of militia of New Jersey, who unfortunately fell a captive into their hands, was carried to New York confined successively in different prisons, and treated with every mark of insult and cruelty; and finally brought over to the Jerseys, and in cold blood hanged. A label was left on his breast, charging him with having murdered one of their fraternity, and denouncing a like fate to others. The charge has been disproved by unexceptionable testimony. A number of respectable people of New Jersey have, by a memorial, called aloud on the Commander-in-Chief for retaliation; in consequence of which he has, in the most decisive terms, claimed of Sir Henry Clinton a delivery of the offenders up to justice, as the only means of averting the stroke of vengeance from the innocent head of a captive officer of equal rank to the Jersey captain. The answer of Clinton was not received when General Washington despatched a state of the transaction to Congress.[10]

MS not found; reprinted from Madison, *Papers* (Hutchinson), 4:195–97.

[1] See Virginia Delegates to Benjamin Harrison, April 2, 1782, note 1.

[2] For Randolph's April 19 letter on the *Three Friends* case, see Madison, *Papers* (Hutchinson), 4:159–61.

[3] That is, privateer captains sailed under congressional letters of marque.

[4] The Virginia delegates moved again this day for consideration of the November 3 committee report on western land cessions, which had been reintroduced on April 16, and Arthur Lee's amended motion of April 18 that all delegates declare whether they were "personally interested" in the claims of any of the land companies. See *JCC*, 22:223; and Arthur Lee to Samuel Adams, April 21, note 4. For the committee's report, which was entered in the journals for the first time this day, see Edmund Randolph to Thomas Nelson, November 7, 1781, note 4. Although the Virginia delegates were able to defeat a motion to postpone consideration of the report, Congress adjourned before providing a "simple answer" on the acceptance or rejection of the state's cession and the following day Theodorick Bland's attempt to obtain a decision on Arthur Lee's motion was voted "out of order." Despite tactical maneuvering on May 3 to place the report on the agenda, Virginia's opponents succeeded on May 6 in postponing consideration because they lacked the votes necessary for an outright rejection of the state's cession. See *JCC*, 22:223–37, 240–41; PCC, item 36, 1:293; and Madison, *Papers* (Hutchinson), 4:198n.6, 203–4, 206–7. The subject did not come before Congress again until July 31 when it was resurrected by a grand committee seeking "the most effectual means of supporting the credit of the United States." See *JCC*, 22:243.

[5] Joseph Jones had signed the delegates' April 30 letter to Benjamin Harrison and attended Congress this day, but he apparently left Philadelphia before Congress convened on May 2. See *JCC*, 22:233–34.

[6] Undoubtedly Thomas Jefferson's letter of March 24, 1782, for which see Madison, *Papers* (Hutchinson), 4:119–20.

[7] See Madison to Jefferson, April 16, 1782, note 6.

[8] For the Rev. William Smith's "examination," see Madison to Randolph, April 9, 1782, note 2.

[9] For a collection of these six charters in the Jefferson Library, see the *Catalogue of the Library of Thomas Jefferson*, comp. by E. Millicent Sowerby, 5 vols. (Washington: Library of Congress, 1952–59), 3:275.

[10] Madison succinctly described one of the more poignant and protracted episodes of the war. At the direction of the New York Board of Associated Loyalists, Capt. Richard Lippincott, a New Jersey loyalist "refugee," hanged a prisoner, New Jersey militia captain Joshua Huddy, on April 12 in retaliation for the death of his loyalist kinsman, Philip White. When reports of Huddy's hanging and demands for Lippincott's punishment were delivered to Washington, he conveyed the demands to Sir Henry Clinton, an action for which Congress declared "their firmest support." See *JCC*, 22:217–18. Clinton denied countenancing Huddy's hanging and court-martialed Lippincott, who was eventually exonerated on the ground that he was only following orders. In the meantime, Washington permitted the selection of a British officer for retaliation if Huddy's executioners were not brought to justice, with the lot unfortunately falling upon Capt. Charles Asgill, a Yorktown prisoner from a well-connected British family. Faced with an untenable situation, Washington allowed the matter to drag on for months, finally yielding in November to mounting French pressure to free Asgill. For a full treatment of the incident, see Katherine Mayo, *General Washington's Dilemma* (New York: Harcourt, Brace, 1938). See also Larry G. Bowman, "The Court-Martial of Captain Richard Lippincott," *New Jersey History* 89 (Spring 1971): 23–36.

Charles Thomson to Daniel Clark

Sir May 3. 1782.

I beg leave to transmit to your care and address two passports one for the Ship *Fame* and the other for the ship New York, which are sent from New York to carry away tobacco for Goods sold under the capitulation of Yorktown.[1] The persons interested have proved to my satisfaction that they have sold goods under the said capitulation to the amount of forty four thousand and thirty seven Spanish milled dollars and two thirds of a dollar.

But as it cannot be ascertained how many hhds each of the vessels will carry I have left a blank for the number, which I have to request the favour of you to fill up & send me an Account of the quantity shipped in each Vessel. You will be pleased to procure documents to shew that the quantity shipped does not amount to more than the sum above mentioned, & that the same belong to the traders capitulants at York & no others.[2]

As no return has been made to me of the crew of the ship New York I must farther request the favour of you to have their names inserted in the margin of the Passport & send me a list of them.

I am, Sr. Your obedient humble Servt, Cha Thomson

RC (DNA: PCC, item 20).

[1] For discussion of the terms of the Yorktown capitulation allowing British merchants to sell their goods and export the returns in Virginia tobacco, which was purchased and exported under agreements arranged by Robert Morris with Clark and George Eddy, see Morris, *Papers* (Ferguson), 3:208–10, 4:404–7, 554–56.

[2] Clark's July 10 response to Thomson pledging to procure the documents requested is in PCC, item 20, 2:301–2, along with a number of other related documents assembled by a committee of Congress after the Virginia Assembly protested in December 1782 that the tobacco exported to New York under the protection of these passports greatly exceeded the quantity agreed upon to fulfill the terms of the Yorktown capitulation. For this and other aspects of the case, see also *JCC*, 24:121–23; Morris, *Papers* (Ferguson), 4:143–44, 167, 367, 5:93–94, 175–76, 287–96, 330–31, 490–91, 554, 585–86, 6:177, 418–19, 644–45; and James Madison to Edmund Randolph, May 29, 1782.

Committee of Congress Draft Report

[May 4–June 11? 1782][1]

The Committee to whom was referred the Report of the Commissioners for settling a Cartel &c do report

That it appears to your Committee, from the sd. report & other Papers referred to them, that the Commissioners appointed on the Part of his Excellency General Washington met the Commissioners appointed on the part of his Excellency General Clinton at Elizabeth Town on the 31st M[arch] 1782, and mutually exchanged their respective Commissions, with the Competence of which the sd. Commissioners were mutually satisfied.

That after various propositions and a lengthy negotiation of the different subjects of their Mission, General Clinton put an End to the Business, on General Washingtons Commissioners declaring the following propositions made on the part of the Enemy, altogether inadmissible.

1st. The Exchange of Citizens & Seamen for Soldiers.
2d. The ransoming Prisoners of War for money.
3d. The Exchange of Prisoners of War as formerly, without the settlement of the past Accounts.
4th. Permission to british Commissaries for purchasing of Provision in the united States for british Prisoners of War, at the market Price.

And the like declaration on the part of the Enemy's Commissioners to the following Propositions made by Genl. Washington's Commissioners on the part of the united States.

5. The liquidation of all past Accounts or the payment of a Ballance of £200,000 Sterl. in full of all demands on Acct of the subsistence of Prisoners.
6. Immediate Provision for the future subsistence of Prisoners of War.
7. The liberation of American Citizens in all parts of the world when captured by the Arms of Brittain.

It appears to your Committee that Genl. Washingtons Commissioners acted with the greatest Propriety in refusing their assent to the propositions made on the part of Sir Henry Clintons Commissioners.

That the demand of the Exchange of Soldiers trained to & taken in Arms, for the peaceable Citizen taken from his Habitation, without Opposition, would in the opinion of your Committee, not only be absolutely destructive of the comon Interest of these States, but is altogether contrary to the rules of War among all civilized Nations—tend to the encouragement of the dishonorable practice of stealing away the peaceable Inhabitants of the Country, and expose them while employed in domestic & civil employments, to all the Inconveniencies & disadvantages of a Military Life.

That the demand of Soldiers in Exchange for Seamen taken from private Vessels of War or Trade, in the opinion of your Committee is equally inadmissable for similar Reasons. The Seamen of this Class, as soon as exchanged, return again to the general mass of Citizens, and add nothing to the immediate defence of the States or the increase of the Army, and if received in Exchange for Soldiers, would tend to the reduction of the Army beyond any possibility of recruiting. Every Soldier costs the united States a certain Sum of money, which would be a continual Loss, if those redeemed by Exchange are not to return to the Army from whence they were taken.

It is farther the opinion of your Committee on the fullest Consideration, that the reasons offered by General Washington's Commissioners to those on the part of Sir Henry Clinton, for refusing to admit the other propositions insisted on by them, are sufficient & unanswerable and ought to be adhered to by Congress.

It also appears to your Committee that the demands made by General Washingtons Commissioners & refused by those on the part of the Enemy, are founded on Reason & Justice, except as to the Ballance demanded in full for Prisoners Subsistance, which your Committee have not been able to ascertain with that precision necessary to form a proper Judgment thereon—and also as to the liberation of American Citizens in all parts of the World. It appears to your Committee, that the Powers vested in Sir Henry Clinton, as may be concluded from the Commission set forth in the report, are confined to certain limits lying on the Atlantic Ocean, and the Parties were fully satisfied with the Competence of each others Powers, on the Exchange thereof, therefore in the opinion of your Committee, the objects of the negotiati[on] should not have exceeded the Powers under which the Conferrence was held, unless so far as respected any Prisoners who might have been sent without those limits by the Agency of Sir Henry Clinton—under this Consideration therefore your Committee recommend the following resolutions.

Resolved—That Congress do approve the Conduct of the Commissioners appointed by his Excellency General Washington for settling a Cartel &c with the Enemy, and do order those Proceedings & report to be printed for the information of the several States.

Resolved That Congress do still continue to be sincerely desirous of settling a general & liberal Cartel for the Exchange of Prisoners, as also general Principles for such Support & Comfortable Subsistence of Prisoners of War as will tend to soften the unavoidable severities & sufferings of War according to the usage & Custom of the most civilized Nations.

MS (NN: United States Congress Collection). In the hand of Elias Boudinot and endorsed by him: "Report to Congress on the Cartel for exchange of Prisoners with Sir H. Clinton, 31 March 1782."

[1] Elias Boudinot drafted this report as a member of a committee appointed on May 4 to take under consideration "the Report of the Commissioners for settling a Cartel [Henry Knox and Gouverneur Morris]," who had conducted negotiations with British commissioners at Elizabethtown, N.J., March 31–April 19, 1782. The commissioners' report had been sent to Congress with a letter from General Washington of April 30 inquiring "how far any future Exchanges of prisoners of War shall be continued" and recommending that Congress approve the granting of pardons "to the Refugees in Service of the Enemy" on the ground that such a policy might be

"productive of Ruin and Confusion to the British Interests in America." Both the report and the letter were referred to a committee consisting of Boudinot, Samuel J. Atlee, Arthur Middleton, and John Rutledge, who reported to Congress sometime before June 11, when John Lowell was added to their ranks. PCC, item 186, fol. 25. This subject does not appear on the journals of Congress, and no document similar to the present draft report has been found in the papers of Congress, although four other reports of this committee on various specific points raised by the commissioners' negotiations, that were considered briefly in Congress between June 17 and 26, are located in PCC, item 24, fols. 57–60, item 28, fols. 77–78, 81–82.

A transcript of the report of Knox and Morris on their negotiations with William Dalrymple and Andrew Elliot at Elizabethtown is in PCC, item 169, 8:320–411. See also Washington's correspondence on the subject in Washington, *Writings* (Fitzpatrick), 24:53–59, 64–67, 79, 88–91, 95, 137–38, 186–87; Boudinot to Knox and Morris, March 14, 1782; and Max M. Mintz, *Gouverneur Morris and the American Revolution* (Norman: University of Oklahoma Press, 1970), pp. 152–55.

Charles Thomson to Jonathan Trumbull, Sr.

Sir Secy's Office May 4th. 1782.

I had the honor to receive your Excellency's letter of the 24th of April with the bonds enclosed. As your letter contained a complaint of abuses & disorders committed by the commanders of Private Armed Vessels, which ought to be obviated or redressed, I laid it before Congress who have been pleased to refer it to a Committee.[1] I now Enclose twenty four blank Commissions with a like number of Bonds and instructions.

I have the honor to be, &c &c, C T

LB (DNA: PCC, item 18).

[1] Trumbull's April 24 letter to Thomson, along with a similar one of the same date to President John Hanson, was referred this day to a committee consisting of Elias Boudinot, George Clymer and William Ellery. See PCC, item 66, 2:218–33, item 186, fol. 26.

For Congress' response to Trumbull's appeal for authority to suspend the commissions of privateers "in cases of malconduct," see Thomson's letters of May 23, 1782, to the States and to Governor Trumbull.

John Hanson to Thomas Sim Lee

My Dear sir Philadelphia May 6th 1782

I am honored With your Excellencys letter of the 1st, be pleased to accept my thanks for the friendly manner in which your Excellency has been pleased to Express your Concern on acct. of my late Illness. I thank God I am now pretty well recovered and hope by Wednesday next to be able to attend Congress.

I Shall pay Mr. Carroll 28.4.2 and the remainder of the 117.3.2 recd for Mr Rogers will be ready whenever Mr Stuart Calls for it. I wish Mr Worthington would send for his Carriage. The maker begins to Murmur And thinks it hard he Should lye out of his money £160.

Your Excellency Some time Ago was so Obliging as to offer to procure for me that part of my Account Against the Public which is to be paid off in red money, or Certificates, or not paid at all untill the State of our Finances will admit of it. Altho there must be a Considerable loss in receiving the red money, yet I greatly prefer that to Certificates or to waiting till it Can be paid in hard money. As it is not in my power to render An Account on Oath till my return home, not having a State of the Account with me, And as I understand it is usual to draw on Account where the Ballance due from the Public has not been asscertained, I must request your Excellency to receive for me on Account the sum of four hundred pounds in red money And Keep it by you 'till I call for it. You may be assured the Sum I ask for is short of what is due me.

From the Debates in the Hond Parliament, it is pretty evident they are heartly tired of the American War, but untill they withdraw their Troops, or we Can dispossess them of the ports they hold here (N York and Charles Town) I Shall have very little hopes of peace.

Have inclosed you the last paper. And wishing you health and happiness am with the highest esteem and regard, Your Excellencys most Obedient Servant, John Hanson

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

South Carolina Delegates to John Mathews

Sir Philadelphia May 6th. 1782

The last publick Dispatches were conveyed by Col. Motte;[1] The Time of Congress has been since principally taken up in making sundry Military regulations, & upon the Affairs of Vermont & Cessions in which nothing Conclusive has been determined.

On the 28th ulto. Congress recd. Communications from Letters of the 24 Decr. & 22d Jany[2] wherein after expressions of Satisfaction upon our Success in Virga. the weakness of our Army is lamented & the incapacity in which it leaves us of pursuing so important a Blow before the Enemy can recover themselves. That tho' the Plan of the ensuing Campaign was not then determd. upon, there was every reason to believe that means would be used to aid us in the Exertions we might make to expell the Enemy from the Continent. It is wished that this Consideration, & the Obstinate adherence of the British to their Plan of subjugating this Country (which is Evidenced by their answer to the Mediators) might rouse the U States to an early &

animated Exertion. It is observed that the British are much embarrass'd with respect to the measures they ought to pursue—That they still continue to represent America as a weak & divided people, hoping thereby to affect the Powers of Europe, & especially the Mediators—That it is not improbable G Britain will endeavour to make proposals to the States separately, & tho' it is not apprehended they would succeed in such an Attempt by detachg. any of them from the Alliance, yet it may be presumed whilst the Issue is unknown, they might avail themselves of it, to induce a Belief that They still have a considerable Interest in this Country, & that the people at large still wish to be connected with them—(*That therefore Means ought to be devised to frustrate their Designs.*)

In consequence of the above Congress entered into the following Resolve, & upon it you will probably hear farther from the Sec. of for. Affairs. "Resolvd, that the Sec. for. Affairs be & he is hereby directed to make a Confidential Communication to the Several States of the Intelligence reced. through his Department, in order that the States may be more fully impressed with the Necessity of such united & determined Exertions as with the Cooperation of our generous Ally will expell the Enemy from their remaining Posts within the U States & display to the world the falsehood of the Assertions of the British Court that the people of these States are neither united nor determined in support of their National Independence."[3]

Two days ago a Member handed a paper to the Table, mentioning that it was authentic, & receivd from N. York. It containd a Motion made by Genl. Conway on the 27 February "That to carry on any longer an Offensive war in America, for the impracticable Object of reducing the Colonies by force would only tend to weaken our Efforts against our European Enemies & by encreasing the Enmity between G Britain & the Colonies frustrate the hopes & designs of his majesty so graciously expressd from the Throne of restoring to his People the inestimable Blessing of publick Tranquillity." This Motion was carried by a Majority of 19—234 against 215—& an Address to the Motion was carried without a division & said to be presented on the 3d of March, & that on the 5th a Motion was made by the Attorney General for leave to bring in a Bill "to enable his Majesty to make peace with America" & was carried without a Division—that Leave was also given for a Bill to repeal the Prohibitory Act, & the Act of the 12 Charles 2d—That on the 9th March—The Ceres man of war ordered to be got ready to sail with some Officers & persons of distinction for America, who are going over it is said, to hear on what Terms the Congress will agree on a reconciliation with the Mother Country. The Packet left Falmouth on the

16th of March, & brings farther Intelligence that Sir Guy Carleton is coming out immediately to take the Command.[4]

The Dates in the above Paper differ from the Accounts given by the Publick Papers; it serves however to corroborate the Facts; & what respects the Ceres man of War is worthy of notice; we shall make no Comments upon them, but mention them meerly as matter of information. The British Cruizers have lately made great impressions upon the Trade here, by this mode the Enemy seems desirous of distressing the Mercantile Interest into an Inclination for Peace.

A resolution of Congress of the 3d April refer'd the Application for Flaggs to the General, & we have since heard nothing from him upon the Subject.[5] No Blank Comissions can issue—But Genl. Moultrie carried all the Commissions which were necessary properly fill'd up according to the arrangement made here.

The accounts from the W Indies respecting the Fleets are vague & uncertain; we shortly expect to hear of an Attack upon Jamaica by the combined Forces of France & Spain.

We have inclosed you the Papers compleat from the Time Col. Motte left Philada. We have nothing farther to add at present but that we are, sir, Yr. m. ob. & hble serts.

J.R.
D.R.
A.M.

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] See Arthur Middleton to Aedanus Burke, April 7, 1782, note 2. Concerning South Carolina's representation in Congress after Isaac Motte's return home, both David Ramsay and John Rutledge had taken their seats on May 2, having been elected on January 31 with Middleton, John Lewis Gervais, and Ralph Izard. See *JCC*, 22:233.

[2] For the report on these letters from the comte de Vergennes, see Richard Law to Jonathan Trumbull, April 30, 1782, note.

[3] Ibid.

[4] The above information appeared in the *Pennsylvania Packet* on May 7, 1782.

[5] Congress' April 3 resolution was in response to a February 14 act of the South Carolina assembly petitioning Congress to negotiate for the return "at the Enemies Expence" of Charleston inhabitants, "particularly the Women & Children," who had been sent to Pennsylvania by local British commanders. Congress referred the matter to the commander-in-chief, who hesitated to act initially because of the intervention of the Huddy-Lippincott affair, but his May 21 proposal to Sir Guy Carleton met with such a full and easy compliance Washington confessed uneasiness at the British commander's response. See *JCC*, 22:161; Washington, *Writings* (Fitzpatrick), 24:270, 273–74, 296; James Madison to Edmund Randolph, May 1, 1782, note 11; and John Morin Scott to Washington, June 4, 1782.

James Madison to Arthur Lee

Dear Sir Philada. May [7,] 1782[1]

The letter inclosed[2] herewith came to my hands from the Eastern post. I forward it not knowing how far its contents may interest you.

The parliamentary intelligence published in the gazette of this morning shews that some revolution in the Councils of the Legislative branch has taken place, which will probably have some effect on those of the Executive. But as the delusive idea of a federal if not a political connection with this Country founded on the ruins of its connection with France, still pervades their policy, no conclusion whatever can be drawn from it that will justify the smallest relaxation in our public measures. The efficacy of conciliatory overtures seems to be as foolishly & obstinately persisted in by one party as that of Military coercion has been by the other; and if the former should be indulged in their favorite experiment, it is more probable that their disappointment & vexation will make them converts to the views of the latter, than that both parties will lay aside their prejudices & embrace the terms we hold out to them.

A letter from Mr. Jay & two from Mr. Carmichael were recd. yesterday.[3] They all speak the same language with that recd. from the former a little before you left us.[4] The success of the Spanish arms at Minorca will we are told be followed by redoubled efforts against Gibralter.

We have several times repeated our call for the order on the Western Cessions, and have in every instance experienced a repetition of the same indecent obstructions & evasions of which you were a witness, & which nothing will explain but the cause to which we have from the beginning imputed them.[5] It will neither be consistent with the respect we owe to our own public characters nor with the dignity of those we serve, to persist longer in fruitless applications to Congress for an answer. We shall therefore wind up the business as well as we can in a few days, and transmit a state of it for the G. Assembly, who will certainly be fully justified in taking any course with respect to their Western claims which the interest of the State shall prescribe.

I am Dr [Sr., yr.] sincere frd. & hble sert. J Madison Jr

RC (MH-H: Lee Family Papers). Madison, *Papers* (Hutchinson), 4:217–18.

[1] Madison's reference to the receipt "yesterday" of a letter from John Jay that was read in Congress on May 6, and the similarity between passages found in this document and the Virginia delegates' letter to Benjamin Harrison of this date leave little doubt that he wrote it on May 7.

[2] Not identified.

[3] John Jay's letter of February 6 was received and read in Congress on May 6, but there is no similar entry in Secretary Thomson's dispatch book noting the receipt of letters from William Carmichael at this time. However, Madison's descriptions here

and in the following entry indicate that Carmichael's letters were his dispatches to Congress of February 18 and 27, 1782. See PCC, item 88, fols. 195–206, item 185, 3:26; Madison, *Papers* (Hutchinson), 4:21nn.5 and 6; and Wharton, *Diplomatic Correspondence*, 5:150–51, 173–76, 204–5.

[4] That is, Jay's letter of October 3, 1781, which was read in Congress on March 18 (the day Edmund Randolph left for Virginia), and reported on by a committee chaired by Madison on April 22, a few days before Lee's departure. See Madison, *Papers* (Hutchinson), 4:111nn.1 and 2, 168–70, 218n.7.

[5] See Madison to Edmund Randolph, May 1, 1782, note 4.

James Madison to Edmund Randolph

Dear Sir, Philadelphia, May [7], 1782.[1]

The enclosed gazette details all the information which we have received relative to the parliamentary advances towards a negotiation with the United States. The first reports which issued from the packet which brought them, were of a very different complexion, and raised high expectations of peace. We now find the ideas of the opposition, as well as the Ministry, to be far short of the only condition on which it can take place. Those who are the farthest reconciled to concessions calculate on a dissolution of the compact with France. The Ministry will yield to the experiment, and turn the result upon their adversaries. Our business is plain. Fidelity to our allies, and vigor in military preparation—these, and these alone, will secure us against all political devices.

We have received no intelligence which speaks a danger of a separate peace between the Dutch and Great Britain. Mr. Adams' request of a categorical answer was taken, *ad referendum*, prior, if I mistake not, to the knowledge of Cornwallis' fate; and it is not likely that after that event they would be less disposed to respect our overtures, or reject those of the enemy.

We have letters from Mr. Jay and Mr. Carmichael of as late date as the twenty-seventh of February. They differ in nothing from the style of the former.[2] The conduct of the Spanish Court subsequent to the date of the letter received the day preceding your departure, corresponds entirely with the tenor of it as therein related.[3] Mr. Jones will inform you of the act of Congress which that letter produced.[4]

We have made no progress in the Western subject. We mean to desist, after one or two more attempts, and state the matter to the Assembly by next post, expecting that they will pursue such measures as their interest prescribes, without regard to the resolutions which proposed the cession.

I beg you to keep me punctually informed of every legislative step touching the Western territory. I suppose the cession cannot fail to be revoked, or, at least, a day of limitation set to it. The condition relative to the companies will certainly be adhered to in every event. I find that those who have been against us do not wish to lose sight of the prospect altogether. If the State is firm and prudent, I have little doubt that she will be again courted. Previous to Mr. Jones' departure, our opinions were united on the expediency of making the impost of five per cent. subservient to an honorable adjustment of territory and accounts. I have since discovered that Varnum is left out, the latter having promoted it, and that Chase is inflexible against it. Massachusetts also holds out. The expedient, therefore, would not be efficacious, and clamors would be drawn on Virginia, which it would be best should fall elsewhere.[5] Show this to Mr. Jones. He will be with you about the twentieth instant.

MS not found; reprinted from *The Papers of James Madison*, ed. Henry D. Gilpin, 3 vols. (Washington: Langtree & O'Sullivan, 1840), 1:125–26.

[1] Although left blank by Madison, it is clear from the Virginia delegates' letter to Benjamin Harrison, this date, that both were written on the same day.

[2] See the preceding entry, note 3.

[3] Ibid., note 4.

[4] Joseph Jones left Philadelphia on May 2; Madison is referring to Congress' April 30 resolution concerning John Jay's negotiations with Spain, for which see *JCC*, 22:219–20; and Madison, *Papers* (Hutchinson), 4:189–91.

[5] For the Virginia delegates' strategy in making ratification of the 5 per cent impost "subservient to an honorable adjustment of territory and accounts," and speculation on the reasons for Madison's change of heart, see ibid., p. 221n.11.

Arthur Middleton to Aedanus Burke

[May 7? 1782][1]

You will receive a few Lines which should have been delivered by Col. Motte. They will be out of Date but may serve to shew that I am not as forgetfull as you.

Your favor by Mr. R was delivered to me and I thank you for the information respecting my old friend Steel. As Republicans we are all on a Level at least—[particularly?] as men; the lowest is equally entitled to protection by the best among us and preference is due only to the merits of an Individual, not to Gifts of Fortune—under these [principles?] I shall better myself and use every endeavour to rescue that much injur'd man from insidious Tyrants & oppressors, our obdurate Enemy; it is painfull to be the advocate of ⟨*cruelty*⟩ severity in any [contest?], but necessity points it out as the only doorway open to humanity when we have to deal with those who have lost the finer feelings of our nature. I wish the practise of returning like for like had been determined at an earlier Period. I am convincd it would have operated much for our Benefit.

You will see in the public prints an atrocious Affair of Cap. Huddy who was hanged by Refugees. The Genl. has *threatned* Retaliation upon British Officers if the perpetrators are not delivered up. Congress have resolved to support him and I believe they will be executed and when we have once enter'd the Retaliatory road, no doubt we shall proceed with them passitus equis; therefore let our Enemies beware of improper Conduct, and let our Friends take care how [*not to*] fall into their hands. The Demand by the General to Clinton is likely to occasion very great & serious differences between the British & the Refugees. I think Mr. Justice P.[2] has acted very incautiously—risquing his pretious Person after what had pass'd. He probably will not retain his fondness for a Featherbed or Mattress; it was not to be expected he should emerge above all the surcets [circuits] like Venus rising from the Sea and reclining on a Bed of Roses. In plain English he should have been damnably switched. I fear he will acquire experience at a dear rate.

I delivered the letter you enclos'd for Mrs. Timothy. Several vague reports have been spread of the ships not being lost but carried into Jamaica and of Mrs. Marshall's being seen at Antigua, but I believe they are all without foundation and we conclude they are certainly lost.

I have [. . .] flatter'd myself by hopes of being able to set out for Southward upon the arrival of Mr. Z— (J R and Ramsay having taken their Seats)[3] but yesterday we received a Paper purporting &c.

Our Accounts from the West Indies are still various & uncertain, but we have every reason to conclude Our Allies hold their Superiority, & that in conjunction with a Spanish Armament they will shortly invest Jamaica, so that we may expect the chief Business of the Campaign would be in that Quarter.

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] This undated shorthand letter was written early in May, perhaps on the first post day after John Rutledge and David Ramsay had taken their seats in Congress. See *JCC*, 22:233.

[2] That is, Judge Henry Pendleton of the South Carolina Court of Common Pleas who had recently been captured by the British. As Edward Rutledge explained to Middleton in a letter of April 14, 1782: "I am sorry to tell you poor Pendleton as he was going Circuit a few Days ago was taken Prisoner & is in the Provost." *SCHGM*, 27 (January 1926): 12–13. See also *Bio. Dir. of S.C. House*, 3:547.

[3] The references are to Ralph Izard, John Rutledge, and David Ramsay. The former took his seat in Congress on June 7; the two latter on May 2.

Rhode Island Delegates to William Greene

Sir, Philadelphia May 7th. 1782.

In the last letter which we had the honour to write to your excellency,[1] among other things we mentioned that a report on cessions of Western territory to the United States was made the order of the day, and that we hoped it would be postponed.

Since that time the delegates of Virginia have on the one hand urged a decision on their cessions with uncommon art and industry, while on the other the delegates of the R. Island, Massachusetts, Connecticut, N. Jersey, Pennsylvania, Delaware and Maryland have with equal diligence endeavour'd to cause the whole report to be postponed; and after much manœuvring it was yesterday generally postponed.[2]

Our views in promoting a postponment, were that the Genl. Assembly might be made acquainted with this matter, and give the delegates of the State their instructions thereon. That the United States might have an opportunity of recommending to the State of Virginia, and other States who may have claims or pretensions of claims to Western territory to make unrestricted and unconditional cessions thereof, and to check that rage for securing extensive possessions by sales & settlements which hath seized Virginia, and induced a conduct highly injurious to the interests of the United States.

With a proviso that should secure the claims of the other States and that of the United States to the proposed cession of N. York we believe that a majority would agree to accept that cession; but neither would your delegates, nor the delegates of the States before mentioned accept the restricted cession of Virginia, or guaranty the tract of country claimed by them in their act of cession unless they should be order'd to accept thereof, by the legislatures of their respective States.

Besides that guaranty, the following conditions are annexed to their cession—That the State of Virginia be fully reimbursed her actual expences in reducing the British posts of Kaskaskias and St. Vincents, the expences of maintaining garrisons and supporting civil government there since the reduction of said posts, and in general all the charge she has incurred on account of the country on the Northwest side of the Ohio river since the commencement of the war—That the French and Canadian inhabitants and other settlers on the Kaskaskias, St Vincents and the neighbouring villages who have professed themselves citizens of Virginia shall have their possessions and titles confirmed to them and shall be protected &c by troops at the expence of the United States—That royal grants within the ceded territory inconsistent with the charter'd rights, laws and customs of Virginia shall be deemed and declared absolutely void and of no effect in the same manner as if the said territory had still remained subject to and part of the commonwealth of Virginia.

We are not informed of the amount of the expenses mentioned in those conditions; nor can we pronounce absolutely how far the proposed guaranty, and a declaration that royal grants inconsistent &c are absolutely void would effect the claims of other States and the rights of the United States in Congress assembled; nor can we tell how far eastward the western boundary of these States may be established by a peace.

This letter will be accompanied by a copy of the report of the Committee on the cessions &c. Copies of the Acts of cession &c will be transmitted as soon as they can be made out.

The Minister of France hath lately through the Secretary for foreign affairs requested a public audience in order to deliver to the President a letter from his royal master to the United States in Congress assembled announcing to them the birth of the Dauphin.[3] The joy of Congress on this happy occasion will be manifested by a discharge of cannon, a display of fireworks, and by an elegant entertainment for the Minister of France.

The audience, exhibitions, and entertainment will be on Monday next. The Secretary for foreign affairs will make the proper communication to the respective States and we are sure that the State of Rhode Island and Providence Plantations will not be backward in demonstrations of joy on this auspicious event.

Your Excellency will observe the motion of Genl. Conway &c.[4] The British wish to treat with the United States separately from France, and with individual States separately if they could; and would cajole us with ideas of pacification. We are confident that Congress will not recede an inch from the resolutions they solemnly enter'd into upon the proposals made by the last sett of Commissioners; that no one State will attend to any separate propositions that may be made to them; and that our State would answer, if any such should be offer'd to it, as they did formerly to the propositions of Ld Lowe. Nor will, we trust, the exertions of the States be in the least degree relaxed by any resolutions of the British house of Commons not to carry on an offensive war against America; but on the contrary we hope that we shall have such a respectable army in the field, as, with the assistance we may receive from our generous ally, may enable us to operate not only offensively but effectually against our enemies. Finding themselves incapable of subdueing us by force, they are recurring to their old artifices. They are reporting through Europe that we are a weak and divided people in order to influence mediating and other powers against us; and to convince the world that this is the case, and to lull us asleep they are coming again with the olive branch in their mouth, but it will be not forgotten that under the same peace[ful] dove-like appearance an insidious serpent hath lurked—have lurked strategems and death.

We ask pardon for having extended our observations so far on this peice of intelligence. Even a hint of this sort to a State, so spirited, so sagacious, and so guarded as that of Rhode-Island would require an apology.

Genl. Washington's Commissioners for a cartel are returned without effecting any thing. Sr H. Clinton's Commissioners were not empower'd to settle a general cartel. Indeed, their powers were ostensible only; every thing was referred to him by them. He refused to pay the ballance due for subsisting their soldiers in our possession; and would not advance a farthing for the support of them. He was willing to give seamen for soldiers, or a trifling sum of money for each soldier.

Our commissioners were instructed by the Genl. to insist upon better accommodations for our sea-prisoners. Admiral Digby's powers to their commissioners were much short of expectation. He was willing to exchange seamen for soldiers, and this was all he said that wanted regulation.[5]

The report on the affair of Vermont lies untouched and will not be stirred until it shall appear that some advantage will result from agitating it.

Yesterday Congress recd. letters from Mr. Carmichael of the 18th & 27 Feby. confirming the news of the reduction of Minorca.[6] The garrison capitulated in twenty days after the trenches were open'd. The fortifications are to be levelled, and the port obstructed so as not to admit large vessels, and the troops employed agst Mahon are to be employed against Gilbraltar, the seige of which will be pushed, as the taking of it is a favorite object of his Catholic Majesty.

We have communicated every thing of any moment that we could bring to our recollection, and are with sentiments of great respect, Your Excellency's most obedient servants, William Ellery

Ezekiel Cornell

RC (R–Ar: Letters to Governors). Written by Ellery, and signed Ellery and Cornell.

[1] See Rhode Island Delegates to Greene, April 16, 1782.

[2] See *JCC*, 22:240–41; and James Madison to Edmund Randolph, May 1, note 4.

[3] See Charles Thomson to Robert R. Livingston, May 10, 1782.

[4] The latest British peace proposals, including Henry Seymour Conway's February 27 motion in the House of Commons, were reported in the *Pennsylvania Packet* of May 7, which the Rhode Island delegates apparently inclosed for Greene.

[5] Because of the failure of recent prisoner negotiations to secure additional relief for "sea-prisoners," Congress this day voted to ask France to send British seamen captured in the West Indies to New York to be exchanged for imprisoned American seamen. *JCC*, 22:245n.1, 245–46.

[6] See James Madison to Arthur Lee, this date, note 3.

Virginia Delegates to Benjamin Harrison

Sir Philada. May 7. 1782

Your Excellency's favor of the 27th ulto. came to hand yesterday.[1] There has not been since time sufficient to procure the information the Executive wish for relative to the inhabitants lately transferred from the jurisdiction of Virginia to that of Pennsylvania. We shall endeavor to obtain it for the next post.[2] The Se[c]retary of Congress assures us that 20 Commissions for armed vessels were forwarded on the 30th Ulto. in consequence of a letter from Mr. Blair on the subject.[3] If that number is insufficient the balance shall be supplied on the first notice.

The enclosed Gazette will furnish your Excellency with all the parliamentary intelligence by which we are as yet enabled to interpret the views of the Enemy. The perseverence of the antiministerial party in the supposed efficacy of conciliatory overtures seems to be no less obstinate than that of the Court has been with respect to military coercion, and as manifestly portends a delay of peace. The path of our duty under these circumstances cannot be mistaken. A scrupulous fidelity to our foreign engagements & a vigorous preparation for expelling the enemy from our Country must press themselves on every attention.

Letters from Spain inform us that the Garrison taken at Minorca consisted of 2600 including every description, but 1500 only of effective troops; and that this success of the Spanish arms would be followed by redoubled ardor on the siege of Gibraltar.[4] Our affairs at {this court make no progress what} ever {toward the allyance sought for}.[5] If it does {not take place} at {all} we shall have at {least the consolation} of {saveing the Mississippi}.

We have been supplied with no news of late from the W. Indies, owing chiefly to the success of the Enemy's Cruisers on the inward as well as outward bound trade of this river, which is in a manner annihilated by them.[6]

We have the honor to be with sentiments of the highest respect Yr. Excelly's obt. & very hble servants. J. Madison Jr.

Theok. Bland Jr.

RC (Vi: Continental Congress Papers). Written by Madison and signed by Madison and Bland.

[1] See Madison, *Papers* (Hutchinson), 4:187.

[2] See Virginia Delegates to Harrison, May 28, note 7.

[3] Charles Thomson's April 30 reply to Archibald Blair, clerk of the Virginia Council of State, who had requested twenty privateer commissions on April 18, has not been found. See PCC, item 71, 2:361.

[4] See James Madison to Arthur Lee, this date, note 3.

[5] Words in braces in this text were written by Madison in cipher.

[6] For Madison's May 2 motion for protection of "the Trade & Commerce of the U States" stemming from the severe losses of American ships in the spring of 1782, see *JCC*, 22:218n, 237n; PCC, item 28, fols. 241; and Madison, *Papers* (Hutchinson), 4:204–6. Congress accordingly assigned responsibility for coping with the British blockade to Agent of Marine Robert Morris, for which see *JCC*, 22:237–38; and Morris, *Papers* (Ferguson), 5:98–99, 105, 107–9, 145–57, 178–79, 189, 193–98, 248–49, 257–58, 269–70, 279–80, 298, 350, 593, 6:xxxvi–vii, 93–95.

John Hanson to Philip Thomas

Dear Doct. Philadelphia May 8th 1782

I acknowledged by yesterdays post the receipt of your letter by Mr. Cromwell, with £5 Cash, and inclosed you the papers. [I] now Send by Mr. Cromwells Waggon, your hat and a Jeans Coat, which I wish may fit and please you. Cost 5.19.7. We are now I thank God all pretty well. Caty is recovering fast, and is very brisk & lively. Should the Account in the inclosed papers, of an Engagement between the French & British fleets prove true, and that the French have Carried their Convoy safe to Hispaniola, where they will be joined by 17 Spanish ships of the line, it is such a stroke as the British will not recover this year—and gives the French fleet [en]tire Dominion of the seas in the West Indias, of which [. . .] no doubt but they will make the proper use. It is probable Jamaica will be their next object, and on the approach of the Hurrican season, it is not unlikely but we Shall have them Again on our Coast. Such repeated Defeats, losses, and misfortunes, the English have met with, one would think would dispose them seriously to peace, but I still retain my former Opinion, that we are not to Expect that happy Event, while they Can Keep the posts they are in possession, off here. Your mother request you to tell Toney to raise her all the money he Can from his & Molls Chickens &c. You will be pleased to sell the Hemp if the price is not lowered. Chloe too is to Sell all She can out [of] the Garden. The old Lady says she is in great want of [. . .]. Our love to D[ea]r little Beck & John and Compliments to [all] our friends, and mine in particular to Mrs. Price. Farewell, J H.

RC (MdHi: Hanson Letters).

Charles Thomson to Robert R. Livingston

Dear Sir [May 10? 1782][1]

I have the pleasure to inform you that Congress have reconsidered their resolution & have struck out all that follows "Secy of foreign affairs" in lieu thereof have inserted "who shall give invitations in the name of Congress to the prest & Council of Pensylvania, the principals of the three executive departments under Congress & such other persons as he may think proper."[2]

This I hope will remove your difficulties & enable you to proceed in executing the business in such way as will do honor to your self as well as to Congress.

I have the honr to be Sr, Yr obt. humble Servt,

Cha Thomson

FC (DNA: PCC, item 55). In the hand of Charles Thomson.

[1] Livingston had informed Congress on May 2 that La Luzerne desired "a public audience" in order to deliver a letter from Louis XVI "announcing the birth of a Dauphin," whereupon Congress assigned Monday May 13 for an audience. Livingston also submitted a description of the audience held in August 1778 for the first French minister to the United States, Conrad-Alexandre Gerard, with a few suggested alterations to make the ceremony suitable to the present occasion, which was referred on May 3 to a committee consisting of Elias Boudinot, James Madison and John Rutledge. See *JCC*, 22:235; and PCC, item 79, 2:133–40.

The committee's report, which was adopted May 7, described in considerable detail a "ceremonial . . . proper to be adopted on this occasion," which prescribed the roles of the principal officers of the three executive departments and other Continental officials. Livingston apparently balked at the part assigned to the secretary for foreign affairs, and accordingly directed the following note to President Hanson the following day. "Sir, I this moment received a Resolution of Congress, ordering an entertainment to be provided by Congress at the City tavern for the Minister of France and his Suite to be under my direction, and impowering me to invite thereto such General Officers and foreigners of distinction in town as the President shall approve. As the execution of this important trust (for which I find myself disqualified) will materially interfere with the business of this Office, I must beg leave to decline the Honor that Congress intend me. I have directed the Tavern keeper to be informed that it will be necessary to provide a dinner on Monday, in order that no time may be lost by my having been appointed." *JCC*, 22:246–48; and PCC, item 79, 2:175–78.

The congressional response to this note is not known, but the following letter from Livingston to Secretary Thomson, dated May 9th, indicates that he had not been placated.

"You who know the respect I have for Congress, will easily conceive the reluctance I feel, in persisting to decline the direction of their Entertainment, while it stands upon its present footing—were it a duty annexed to my Office, I should think myself oblidged to perform it—did the United States in Congress chuse to appoint me their Master of Ceremonies whom any occasion in which they appeared as a Sovereign, I should think they added greatly to the honor they have already conferred upon me—But Sir I feel that there is a respect which every Man owes to himself if he has been dignified by honorable Employments or if in Office to that Office and the Sovereign that appointed him, which forbids him to take a new Charge derogatory to the former.

"Congress call upon me to direct an Entertainment at which, I am not even a guest—to which none of the Principals in the great Departments, or the most respectable executive Officers are to be invited—From which the President and Council of the State—The field Officers in town tho' on duty, a number of genteel Strangers (not being Foreigners) some of whom were ten days ago members of Congress are excluded, and the general Officers implicatively since they never visit without their Aid de Camps—it is true the odium I should incur by my agentry on this occasion would be removed if I could plead the order of Congress, but I should find it difficult to make the world believe that an Officer whose past and present Employments give him some title to respect could be ordered to direct an entertainment without some little attentions having been paid to his recommendation—and were this to gain credit, I should want a sufficient Appology for taking upon myself a duty which placed me upon a level with the Presidents Steward—delicacy and respect for Congress kept me from assigning these reasons to them—if they must be brought before them, I wish you to do it in such a way, as to testify my veneration for their orders, and the pain I feel at being placed in such a situation as not to be capable of executing their commands on this occasion without degrading an Office which their honor and interest requires to be supported with some degree of dignity particularly in the Eyes of foreigners. Should Congress find it proper to alter their Resolution, which however I am far from taking the liberty to suggest, I shall think myself honored by carrying their commands into execution." Charles Thomson Papers, DLC.

For additional information related to this affair, see the following entry; and Thomson's Report on the Audience with La Luzerne, May 13, 1782.

[2] For the placement of this emendation of Congress' May 7 resolution, see Thomson's journal entry for May 7, where it was inserted in the margin with the following notation in Thomson's hand: "May 10. reconsidered. & altered to read." PCC, item 1, 33:229. For the evolution of the original committee report on the audience with La Luzerne and a number of other documents related to Livingston's planning and management of the event, see also Madison, *Papers* (Hutchinson), 4:211–14; and PCC, item 79, 2:179–92, 197–98, item 119, fols. 104–7, 120–27.

Charles Thomson to Robert R. Livingston, Benjamin Lincoln, and Robert Morris

Sir, Philadelphia May 10th 1782.

The United States in Congress Assembled having appointed Monday the thirteenth Instant at 12 O'Clock for giving a Public Audience to the Honorable the Minister of France and having resolved that a place be assigned to the Principals in the three executive Departments under Congress,

I have the honor to inform you that the Place assigned to those Gentlemen is within the bar to the right and next to the Members of Congress on the left of the Chair.

The United States in Congress Assembled have farther resolved That the Assistants and principal Secretaries in each of the Departments be admitted without the bar of the House. The Messenger of Congress has orders to furnish you with tickets for such of the Gentlemen in your Department as come within the above description.[1]

I have the Honor to be, Sir, Your most Obedt. Hume. servt.

Cha Thomson[2]

FC (DNA: PCC, item 55). In a clerical hand. Addressed: "Honble. Robert R Livingston Esqr Secy for foreign Afairs." FC (DNA: PCC, item 49). In the hand of Charles Thomson.

[1] To the Thomson FC of this letter, the following two notes were appended: "Add as a postscript to the letter for the Super finance—As the Comptroller, treasurer

Register & Auditors are within your department. The Messenger will deliver you the tickets for those Officers."

"To that for the Secy at War add—As the Officers of the Army come more immediately under your notice, the Messenger will deliver you as Many tickets for them as you shall think proper." PCC, item 49, fol. 67.

[2] In preparation for this audience with La Luzerne, Thomson also wrote the following note to Robert Morris on May 9. "It is the desire of Congress that the table before the president and the tables before the members be covered with green cloth on the day of the public Audience. Mr Patton waits on you to receive your directions respecting this matter." PCC, item 49, fol. 401.

Jesse Root to Jonathan Trumbull, Sr.

Sir, Philadelphia, May 11, 1782.

I arrived here last Monday, my horse's getting lame delayed me two or three days in my Journey. The Committees to whom was referred your Excellency's letters, in respect to commissioning privateers, & in respect to the Prisoners, have reported, but no resolves have been passed upon them.[1]

Monday next the Minister of France has an audience to announce the birth of the Dauphin.[2]

I was at Head quarters in my way here; Saw your Son Col. Jonathan, he was well. The Genl. is exceeding anxious that no more of the recruits are come on, having received very few or none, except from the State of Rhod Island. This place has Suffered exceedingly of late by privateers from New York, who so infest the Capes that it is scarcely practicable for a vessel to pass without being taken. We have no news, but what is in the news papers, to which I refer your Excellency.

I am, with the greatest respect, your Excellency's most obedt. humble servant.

Jesse Root.

P.S. Since writing the within we have recd the intelligence of the arrival of Genl Carlton at New York, & of the Change in the British Ministry & Cabinet, an acct of which is Contained in the inclosed papers.[3] Also an acct of an action between the two fleets in the West Indies.

RC (Ct: Trumbull Papers).

[1] In his April 24 letters Trumbull had asked Congress to aid imprisoned American seamen and to "correct" the abuses of privateers. On May 7 Congress had voted to seek British prisoners held by France to exchange for American seamen and on May 21 authorized state executives to suspend commissions of privateer captains for "malconduct." See *JCC*, 22:245–46, 280–81; and Charles Thomson to Trumbull, May 23, 1782.

[2] See Charles Thomson to Robert R. Livingston, May 10, and Thomson's Report, May 13, 1782.

[3] News of Sir Guy Carleton's arrival in New York on May 5 to assume the British

command in North America and the report on the change of the ministry appeared in this day's issue of the *Pennsylvania Packet*, a copy of which was also enclosed with the following letter of this date from John Hanson to Philip Thomas: "Hearing that Mrs. Shaw is to set out tomorrow morning for Frederick I embrace this opportunity to inclose you this days paper by which you will see there is a total Change of the Ministry. Whether it will turn out to the advantage of America time will discover." Hanson Letters, MdHi.

Theodorick Bland to St. George Tucker

Dear Tucker No. 3 [May 13? 1782][1]

Yours received to day No. 1 convinced me that you had not totally forgot your engagements. I have no retrospect in my resentments further than the No. which this letter bears and shall therefore write on. We are full of News & therefore as you may suppose I have little time for Small Talk. The Papers which your board constantly received from us will give you ground work viz the Total Change of the British ministry a Capite ad Calcem,[2] vis Fox and Shelburne Principal Secretaries of State, the latter with the French, Spanish & American departments consolidated into one—a fine field to display his Talents of Duplicity (or even Triplicity) for which he is so famed. Cambden at the hd. of the Privy Council, Grafton lord keeper, Ld. John Cavendish Chancellor, Admiral Keppel at the hd. of the Admiralty, Barry, Conway, Richmond, Burke &c all in. Carleton has superseded Clinton &c. But—my Friend—yes—But—notwithstanding their professd intentions are to make peace or truces with America—these Place Hunters have fallen into the old mistake—that is of being a day after the fair. They thought it necessary to pass an act to Enable the king to make truce or peace with—*The Revolted Colonies*, and notwithstanding the way has been so long opend to them in Europe they have Chosen to empower the K of G Britain—in the face of our Independence—to treat with any body or Bodies Politic or even with any individual Chimney Sweeper they may meet with—and the Gracious Sr. Guy has announced to Genl. Washington that *we are*, viz England & America, equally interested in supporting the *Character* of *Englishmen* for *humanity* &c. In short this is a very important Crisis—tis a Crisis that demands all the political Exertion, intuitive Knowledge, foresight, & Wisdom that the Continent are possest of individually and collectively. Perseverance, vigilance & policy, not forgetting military Vigor are all at this moment to be displayd. Nor can the Politician ever be excused who omits one of these. The Birth of the Dauphin has been formally announced to Congress by the Plenipo of France in a Public Audience on which occasion we have thought it our duty to strain every nerve of Finance to give the Ambassador a dinner—from which I am Just returnd—and while I am writing the Rockets which are a part of the feu d'artifice are thundering in the Air—no measure of demonstration of Joy Shd. be omitted on [this] occasion to that Nation. The Reasons are too obvious to point out. It wd. affront the Understanding to mention them. The Text of the Back lands will be sent to the Ex[ecuti]ve by this post[3]—by the next I will send you my Comment thereon. God Bless you—God Bless Fanny—God Bless you all. Read Pains Crisis on Taxation Publishd in our Gazette to every company.[4] No reasoning or argument can stand against it—"if the whole of the community cannot pay The Tax how can a part." These are the sentiments of every man of *common sense* & common Honesty—if any man advances a contrary doctrine Hunc tu caveto Romane.[5]

RC (ViW: Tucker-Coleman Papers).

[1] Bland undoubtedly wrote this letter on Monday, May 13, having "Just returnd" from the public audience held this day for the French minister, for which see the following entry.

[2] That is, from head to foot.

[3] See Virginia Delegates to Benjamin Harrison, May 14, 1782, note 2.

[4] Thomas Paine's essay on the need for adequate taxation to finance the war, which was published in the March 6 issues of the Pennsylvania *Gazette* and *Journal*, the March 7 *Packet*, and March 13 *Freeman's Journal*, was also incorporated into the second half of *Crisis No. 10* issued under the date March 5. See Evans, *Am. Bibliography*, no. 17,648. On February 10 Paine had signed a secret agreement with Robert Morris, Robert R. Livingston, and Washington to write for the government, for which he would be paid $800 per annum out of secret funds. His pieces on taxation proposing separate state tax budgets—one for local needs and the other to meet congressional needs—were designed to rouse public support for Morris' fiscal programs. See David F. Hawke, *Paine* (New York: Harper & Row, 1974), pp. 123–25, 424.

[5] That is, "of him beware good Roman." Horace *Satires* 1.4.85.

Charles Thomson's Report on the Audience with La Luzerne

Monday May 13 1782.

This day having been assigned for giving the Minister of France a public Audience,[1] in order that he might deliver to the United States in Congress assembled a letter which he had recd. from his Most Christian Majesty to them announcing the birth of a Dauphin, the Minister came in his own coach to the state house, being escorted by the city troop of light horse. At the state house he was recd. with military honors, and being met at the foot of the steps by two members deputed for the purpose he was by them introduced to his seat.

The house was arranged in the following Order.[2] The president in a chair on a platform raised two steps from the floor with a large table before him. The members of Congress in chairs on the floor to his right and left with small tables before them. The tables were all covered with green cloth. On the left of the chair sat 1. the delegates of Massachusetts, 2. Rhode island, 3d. Connecticut, 4. New York, 5. New Jersey. On the right sat 1. Georgia, 2. S Carolina, 3. Virginia, 4. Maryland, 5. Delaware, 6. Pennsylvania. The whole in a semicircle. Newhampshire & North Carolina were not represented.

Next to the member of Congress on the left of the chair stood the principals of the three executive departments namely the Superintendant of finance, the Secy at War & the Secy for foreign Affairs.

The Secretary of the United States in Congress assembled stood on the right of the president on the first step of the platform. At his right on the floor stood the interpreter behind the chairs of the Members.

The president & council of the state of Pennsylvania stood within the bar on the right as they entered & facing the president.

The rest of the Audience stood without the bar. The doors were opened. Centries were placed at the inner door & none except the minister and his suite were admitted without a ticket which was signed by the Secy of Congress, who furnished each of the members with two, the Super. finance with as many as were wanted for the officers in his department, the Secy at war for those in his department & for such of the general officers of the army as were in town & the Secy for foreign affairs with those wanted for foreigners of distinction, whom he might think proper to be admitted. The President of Congress was furnished with a number to distribute among the citizens. The whole number prepared was 200.

The Minister was conducted into the Congress Hall by the two members who had received him at the foot of the steps of the outward door. As he entered the bar the president and the house rose. The president being Covered, The Minister as he advanced to his chair bowed to the president who took Off his hat & returned the bow. The Minister being uncovered, The Minister then bowed to the members on each side of the chair, who were standing uncoverd, but did not return the bow. The Minister then sat down & put on his Hat. A chair was prepared for him on the floor directly opposite to the president and before it a table covered with green cloth. On each side of his chair was placed a chair for the Members who introduced him. He who was first named of the two took the chair on the right & the other that on the left. The president, the members & the Minister all took their seats at the same time. The Secretary of the embassy stood on the left of the chair of the member at the Minister['s] left.

After about a pause of a Minute the Minister arose & taking off his hat addressed the United States in Congress assembled in a short speech delivered in french. The house sat while he delivered his speech. The president only being covered. Having finished his speech he sat down. And the Secy of the Embassy coming forward delivered the letter from his most Christian Majesty to the Secy of Congress who advanced to the end of the platform to meet him & having received it carried it back & delivered it to the president who opened it and delivered it again to the Secy who causing the interpreter to advance to the first step of the platform gave it to him open and he read it in the Original to the Audience. The Secy then on the platform read a translation of it & returned the letter to the president. Whereupon the president, the Members & the Minister rose, the president being covered, but the members & the minister uncovered: and the president [on] behalf of the United States addressed the Minister in a short speech After which they all sat down and after a short pause the Minis[ter] rose, whereupon the president & the members rose. The Minister then bowed to the president and the members & withdrew, the members who introduced him reconducting him to the foot of the steps at the outward door.

MS (PHi: Thomson Papers). In the hand of Charles Thomson. At the end of this manuscript Thomson also appended the following comment, with different pen and ink and in a very shaky hand indicating that it was added many years later: "A report drawn up by the Secretary & shown to the president, and some members, who thought it too minute (on the present occasion) to trouble Congress for an order to insert it on the minutes, it was therefore suppressed. Cha. Thomson, secy."

[1] For the context of this audience, see Thomson to Robert R. Livingston, May 10, 1782, note 1; and *JCC*, 22:261–63.

[2] These seating arrangements were the responsibility of Robert R. Livingston, for which see PCC, item 79, 2:197–98.

John Hanson to Philip Thomas

Dear Doctr. [May 14? 1782][1]

I thank you for your favour by Mr. J Neil who also delivered two Guineas. It is with pleasure we hear you and the Children are well.

I had prepaired a letter to go by Mr Neil but he was gone. I now inclose you Sundry papers. The Account you will see under the New York head of the Defeat of the French Fleet in the West Indias, is pretty generally discredit here, indeed there are many strong Circumstances against the Credibillity of it. No account is given of what became of the rest of the French fleet and the great number of Ships they had under Convoy; it does not appear how the letter writer to the Antigua printer Came by his intelligence; he Says he had been on board the Ville de paris; Where was She? How Came he on board and how did he get to Antigua where he dates his letter? Nothing of this appears; it is not said that that Ship or any other of the Captured ships, were arrived at Antigua and it Cant be supposed that any of them, were Arrived at the time the paper was printed as such a Circumstance would hardly had been omitted. There are Strong Circumstances to induce a belief that Rodney's Letter too is not genuine—it is probable there had been a severe battle and that both fleets have suffered greatly—all at present is Conjecture, but if the French have been able to protect their Convoy and Effect a Junction with the Spanish fleet at Hispaniola, they have obtained their object and the Combined fleets will be greatly Superior to the British.

Sir Guy Carlton has wrote to General Washington for a passport to Philadelphia for his Secretary Mr. Morgan. A Copy of his letter has been transmitted to Congress, who have directed the General not to Comply with the request.[2] This may Occasion Sir Guy, to propose Some other mode of laying before Congress whatever he may have to Communicate in Virtue of his Commission and it is probable we may hear from him shortly. I received yours of the 12th yesterday. Tho the price Ned Sold for is under his Value yet it as much (Circumstances Considered) as I expected to get for him, and shall abide by the bargain. Hope Hoskins will be punctual in the payment. We wish you all health and happiness. Dear Docr. yrs. most affectionately,

J H[3]

RC (MdHi: Hanson Letters).

[1] Date conjectured from the fact that this day Congress rejected the appeal of Sir Guy Carleton for a passport for his secretary Maurice Morgann to deliver a letter to Congress, and that Hanson wrote a brief May 14 letter to Gov. Thomas Sim Lee, for which see the following notes.

[2] *JCC*, 22:263. For Washington's May 10 letter to Congress enclosing Carleton's request and his own response of the same date to Carleton, see PCC, item 152, 10:525–28, 559–65; and Washington, *Writings* (Fitzpatrick), 24:241–44. Carleton, announcing that he had been appointed not only to the command of the British forces in North America but also to "the Commission of Peace," had hoped that his secretary's presence in Philadelphia would improve his chances for opening peace talks with Congress.

[3] The following brief May 14 note from Hanson to Thomas Sim Lee is in the Lee, Horsey, and Carroll Papers deposit at MdHi. "I am really So Busy this morning that I have only time to thank your Excellency for your letter by the last post and to inclose you the last paper."

James Madison to Edmund Randolph

Dear Sir Philadelphia May 14. 1782

The Ceres man of War we are informed by a New York paper arrived there in twenty five days on the 5th instant having on board his Excellency Sir Guy Carleton, Commander in chief &c., and *Commissioner for making peace or war* in North America. The intelligence brought by this conveyance is that the vibrations of power between the Ministry and their rivals had terminated in the complete dissolution of the former organization of the latter. What change of measures will follow this change of men is yet concealed from us. The bill for empowering the King to conclude a peace or truce with the revolted Colonies in North America had been brought into Parliament on the 27th of March. The language of it is at the same time cautious and comprehensive, and seems to make eventual provision for our Independence, without betraying any purpose of acknowledging it. The terms peace and truce are scarcely applicable to any other conventions than National ones. And the King is authorised to annul or suspend all acts of Parliament whatever as far as they speak of the Colonies. He can therefore clearly remove any parliamentary bar to his recognition of our Independence and I know of no other bar to his treating with America on that ground. All this is however very different from a real peace. The King will assuredly prefer war as long as his Ministry will stand by him, and the settlements of his present Ministry, particularly of Shelburne are as peremptory against the dismemberments of the Empire as those of any of their predecessors. They will at least try a campaign of negociation against the United States and of war against their other enemies before they submit to it. It is probable that the arrival of Sir Guy Carleton will not long precede an opening of the first campaign. Congress will I am persuaded give a proper verbal answer to any overtures with which he may insult them but the best answer will come from the States in such supplies of men and money as will expel him and all our other enemies from the United States.

We have at length brought our territorial business to an issue. It was postponed sine die on the 6th instant. We have transmitted the whole proceeding to the Governor to be laid before the Assembly.[1]

There are various accounts from the West Indies which render it pretty certain that an engagement has taken place between the two fleets. The circumstances are not ascertained. The issue seems at least to have been so far in favor of our Allies as to leave them free to pursue their course with their Convoy to Hispaniola, where a junction is to be made with the Spaniards. The object of this junction is universally supposed to be Jamaica.

Since I finished the above a letter has come to Congress from General Washington enclosing one to him from Sir Guy Carleton announcing his commission in conjunction with Admiral Digby to treat of peace with this Country, and requesting a passport for his Secretary Mr. Morgan to bring a similar *letter of compliment* to Congress. The request will certainly be refused and General Washington probably directed to receive and forward any despatches which may be properly addressed to Congress.[2]

A public audience was yesterday given to the Minister of France, in which he formally announced the birth of the Dauphin. It was deemed politic at this crisis to display every proper evidence of affectionate attachment to our Ally. The Minister was accordingly received with Military honors and the audience concluded with the discharge of cannon and a feu de joi of small arms. A public entertainment followed and fireworks ⟨*at night*⟩ closed the scene.

The answer reported by the Committee on Mr. Dana's letter ⟨*animadverted on his precipitancy and*⟩ gave him a cautionary instruction. It afterwards went to the Secretary of foreign affairs and thence I suppose in his dress to Petersburgh.[3] Mr. Jones will give you more satisfactory information on this as also with respect to the answer of Mr. Jay's letter.[4]

Your surmises relative to a revival of paper currency alarms me.[5] It is impossible that any evil can render such an alternative eligible. It will revive the hopes of the Enemy, increase the internal debility of the State, and awaken the clamours of all ranks throughout the United States against her. Much more to Virginia's honor would it be to rescind the taxes, altho' the consequence of that can but be of a most serious nature.

Tr (DLC: Madison Papers). In an unknown hand. Two corrections were later made when the original, now missing, was compared with the Tr, for which see the insertions in the text in angle brackets. Madison, *Papers* (Hutchinson), 4:240–42.

[1] See Virginia Delegates to Benjamin Harrison, this date, note 2.

[2] See the preceding entry, note 2.

[3] See Madison to Randolph, April 23, note 6.

[4] See Madison to Randolph, May 7, note 4.

[5] For these rumors, see Madison, *Papers* (Hutchinson), 4:208n.7, 225n.4.

Samuel Osgood to Samuel Holten

Dear Sir Philadelphia May 14th. 1782

I have to acknowledge the Rect. of your Favor of the 2d Instant for which I must beg you to accept of my sincerest Thanks. You inform me that the General Court have still under Consideration the Impost Bill. Before this Time it is probable that the House (or rather, General Assembly) is adjourned or prorogued & that the Bill is determined upon. I shall make my myself easy let it be whatever Way it may. I have wrote my Sentiments upon the Matter without Reservation, to my Friends. I have felt myself greatly interested in the Determination of the Question; & now I shall submit with as much Satisfaction, as a Republican always ought to do, in a free Government, to the Voice & Judgment of my Country. However I can but make a few comparative Observations, which were occasioned by reading a Piece signed Argus, in Willis's Paper[1] of the 26th of April. Who the Authur is I cannot divine. He has given the People of Massachusetts his Sentiments upon a coercive Power in

Congress: he seems to be much terrified with the Idea, & therefore without accurately considering what Coercion Means, has resolved it, into an Armed Force. And foresees in Embryo, a Standing Army appointed by Congress. Happy, extremely happy should I be, if Congress or their Financier, knew what to do with the little Army now in the Field, but it is very difficult to provide for them. The States give no Money, Congress can neither make, nor borrow. True it is, that Congress has at least the Power of asking the States to furnish them with so many Men, & so much Money, as may be Judged absolutely necessary to carry on the War. And such Requisitions the Confederation says shall be binding—(As Binding as Religion is upon the Consciences of wicked Men; It's Recompence is principally in another World)—But so extremely cautious are the States in general, least they should multiply the Works of Supererogation, that they will do nothing at all. It is dangerous to give to Congress any Thing, because they will not account for it. It is dangerous, because they may be so free of Debt, & so provident as to lay up Money for their Successors to enable them to subsist a standing Army.

But there seems to be a great Objection against the Financier's having in the several states an Officer to receive the Sums of Money, that may be appropriated to the Use of the Continent. It would be much better to speak openly at once, & object to any Kind of continental Tax—As this must be the Foundation of the Objection. For I am clearly in Opinion if the State of Masstts. intend to pay their Quota of 8 Millions of Dollrs., it is a Matter of very little Consequence to the State, & cannot endanger their Liberties & Priviledges, whether the Money is paid to the Treasurer of the State or to an Officer appointed by Mr. Morris—for it never I believe entered into any Body's Mind that if there was a continental Receiver of Taxes, that he should not be subject to the Laws of the State, in all Respects as much as the State Treasurer.

Admitting the Idea of a Continental Treasurer in each state Subject to the Laws of the State, & that the State may annually comply with the Requisitions, (or otherwise as they may see fit) and by Acts of their own, direct, the Payment of the Monies to be made by the Collectors, in the first Instance, to a continental Receiver, instead of the State Treasurer, what Injury can arise? I can conceive of no great Injury—unless it is injurious to the Feelings of the States to furnish the united States with any of the necessary Means, for carrying on the War. Surely it is greatly diminishing the Business of the State Treasurer, & the united States will be as much accountable for the Money, as tho they received it thro the circuitous Channel of States Officers; & render an Account of the Expenditures as expeditiously. We have some Time since directed the Financier to make out an Account of the public Debt, that agreeable to the Articles of Confederation it may be laid before the respective States. Restricted as such an Officer would necessarily be, by the Laws of the State, I think he would not be a very dangerous Creature. But, Sir, an Impost of five per Ct. is a very different Matter, & may, & probably will, if adopted, open the Door for every Kind of Venality & Corruption. It is granting to an Amoun[t] that cannot be publickly known. It is granting, if not forever, yet, for as long a Time, as these States continue united. It will undoubtedly furnish Congress with the Means of paying the half pay promised to Officers, in the continental Army during Life, which is a Matter, I think totally inadmissable for more Reasons that I have now Opportunity to mention. But one is very easily suggested, that is that nearly one half of the Officers have had no Men to command for several Years; & have been a dead Weight upon the united States; It wou'd be a very pretty Fancy to give those Officers, half Pay for Life. Perhaps the less is said about this Matter at present the better. But for one, I do not trouble myself about half Pay; because I am perswaded, Nine States will never be in Favor of it. Without you make Congress very corrupt, by giving them the entire Disposal of a great Deal of Money.

I feel very anxious for our State; the Burthens have been & still are very heavy upon it; surely, Sir, you must be sensible that we must have failed in our great Attempt, if Masstts. had not made the most strenuous Exertions—they are still necessary, notwithstanding the thoro' Change in the Ministry of Great Britain; we ought, on no Account whatever, to relax in our Exertions: Our Independence, is not yet acknowledged; And Whether the new Ministry have the Vanity to think, that they shall have Address enough, with us, to induce us to give up our Alliance, Independence &ca is uncertain. But there is some Reason to suppose that this is their Object. If it is (under Providence) I am perswaded that they will be no less disappointed than their Predecessors. Sir Guy Carlton, has wrote a complimentary Letter to General Washington; he expresses his utter Disapprobation of every Kind of Barbarity & Cruelty in carrying on the War; but if it must be continued he wishes it may be, in a Manner most conformable to the Ideas of the most civilized Nations, he says to general Washington "that we are *alike* interested to preserve the Name of *Englishmen* from Reproach"—A Name that is now become proverbial for the very Thing itself. He has requested a Passport of General Washington for his Secretary to come to Congress with a Complimentary Letter—But Congress, Sir, have a very great Aversion to Compliments, and they will not permit any one to come on such a triffling Errand. If Sir Guy, has any Thing of Consequence to communicate to Congress (which I think is not probable) If properly directed, it will undoubtedly be received. But none of his People, will have the Honor to approach nearer than the Place than may be appointed by General Washington for receiving

Flags. What the Intentions of the New Ministry may be is only a Matter of Conjecture here: some are of Opinion that Sir Guy is instructed to make an Attempt upon the States individually, to draw them of[f] from the Alliance formed with France; I feel no Anxiety about such a Manœvre; because I am perswaded the States Individually would behave with becoming Dignity on such an Occasion. Perhaps the Silence of Congress on this very important Matter, may be very Good Policy; should the States, without the Intervention of Congress, act with a suitable Degree of Firmness, it would have a Tendency to destroy the absurd & groundless Insinuations of the former brittish Ministry, in the Courts of Europe, that a great Majority of the Americans are well disposed to their Sovereign: that the People are only governed by a few Incendiaries.

Mr. Lowell I conclude from the Intelligence I have received is on his way, & that he will be with us this Week; Mr. Partridge determines to Leave us next Week. I shall make myself perfectly easy with my Situation; if the State should have a full Representation I shall return Home this Summer. If otherwise I shall not quit their Service if my Health continues as good as it is at present.[2]

General Lincoln has lately removed his Lodgings, & is now in the House with me, where we are pretty well accommodated. He desires me to inform you that there is a Person in Philadelpa who flatters himself that he has good Reason to expect that you will remember as well as Mr. Partridge to whom you desired me to present your Compliments.

You will be pleased to excuse this long Letter & accept of my sincerest Wishes for your Welfare. I am, Dear Sir, with Sentiments of the greatest Esteem, your most obedient, and most humble Servant,

Samuel Osgood

RC (NIC: Sage Bequest).

[1] That is, the *Independent Chronicle* (Boston), published by Nathaniel Willis, Sr.

[2] John Lowell took his seat in Congress on May 20, the day George Partridge was granted leave to return to Massachusetts. *JCC*, 22:278. Osgood remained in Philadelphia throughout 1782.

Virginia Delegates to Benjamin Harrison

Sir Philada. May 14th. 1782

In our letter of the 17th Ulto. we informed your Excelly. that we had called upon Congress for a decision on the report of the Committee on the territorial cessions, a copy of which was inclosed in our letter of the 17th. of Novr last;[1] and that a day had been assigned for the consideration of that report. The extract from the Journals of

Congress herewith transmitted, shews the progress of the business down to the 6th. of May, when it was postponed sine die.[2]

Our revival of this subject at the time above stated proceeded from the manifest expediency of obtaining from Congress such a decision thereon, as would explain their ultimate views, and enable the Genl. Assembly at their present Session to take such measures as the case required. During a suspension of this decision of Congress, the misrepresentations & fallacies contained in the report supplied to interested persons, abundant calumny against Virginia; and the precautions which her Western interests might dictate, were exposed to be animadverted upon as premature & improper. These considerations were urged upon Congress as equally obliging the State to demand and them to give a definitive answer either in the affirmative or negative to her cession. Congress were reminded too that this cession was proposed not from any interested motives on the part of Virginia, nor even originated with her, but was made at the instance of Congress themselves, who pressed it upon her as a sacrifice essential to the general Interest; that the least therefore that could be expected from Congress was a speedy attention & explicit answer to it. These considerations, weighty as they were in themselves, made little impression, nor were they other wise answered, than by the evasive propositions & unseasonable adjournments stated in the extract from the Journals. The only solid objection of which the case admitted, and which on a former occasion prevailed, was a thinness of the House.[3] But on this occasion there were both at the time of assigning a day for the discussion of the report, & of the vote which finally postponed it, no less than eleven States present, a number which experience has shewn to be greater than can be calculated upon at any given future period. During the course of the business the number was indeed reduced to nine States by the voluntary departure of a member for Connecticut & of another for Delaware; and advantage was taken of that conjuncture, as will be seen in the extract above referred to, to introduce the proposition made by Mr. Clarke & Mr. Ellery on the first instant.[4]

Having pursued this subject to the issue of a postponement sine die, and having found from the temper of a great part of Congress, as well as the repeated declarations of individual members on the floor, that no other issue was to be expected, we thought it inconsistent with the respect due to the State we represent, to other public business, and to our friends in Congress, to persist longer in urging it. We accordingly apprized Congress that such was our determination, and that we should forthwith transmit a State of the whole proceeding to our Constituents, with whom it would remain to take such Steps as it should suggest. What these Steps ought to be we presume not to point out. We are persuaded that they will be the result of mature & temperate deliberation, and that they will equally tend to the honor of the State & the security of its interests. We only entreat that whatever Duties they shall assign to us may be chalked out in full and precise instructions. Possessed of such instructions we shall not only speak and act with greater confidence & satisfaction to ourselves, but with greater weight and effect with respect to others. Indeed the advantage of being able to speak the declared sense of our constituents is so great that we can not but intimate the expediency of our being furnished with it on all questions which involve their important interests.[5]

Intelligence from the W. Indies renders it pretty certain that an action has lately taken place between the French and British fleets in that quarter. The result is not circumstantially known, but there is reason to believe that it was considerably in favor of the former wch. preserved its convoy and prosecuted its course to Hispaniola. At this place it is universally understood that a junction was to be made with the Spaniards, and that the combined armaments were to proceed from thence agst. Jamaica.

The Gazettes which accompany this will inform your Excellency of the revolution which has taken place in the British Ministry, and of the arrival of General Carlton at N. York in quality of Commander in cheif. and joint Comissr. with Admiral Digby for treating of peace with America. A letter was [received] yesterday by Congress from Genl. Washington inclosing one to him from Genl Carlton in which the latter announces his arrival, his commission, the pacific disposition of G. Britain towards this country, and his personal desire in case the war should be continued, of rendering it as little destructive as possible; and finally requests a passport for Mr. Morgan his Secy. to convey a similar *letter of compliment* to Congress. Genl Washington's letter is not yet answered, but we run no risk in assuring your Excelly. that he will be directed to refuse the passport to Philada. for Mr. Morgan.

The late proceedings in the British Parliamt. with the avowed repugnance of the New Ministry, particularly of Ld. Shelburne the Minister for the American Department, to a recognition of our Independence and of our Alliance with France, forbid any hope that a peace on that ground is the object of the Commission just mentioned. On the contrary we have every reason to suspect that its object is to seduce us from the latter if not from both of those essential preliminaries to peace. The stile of Genl. Carlton's letter to Genl Washington perfectly coincides with this Suspicion. It gives us great pleasure to be able to observe on this occasion, that the apparent unanimity & firmness of Congress, afford every security to the honor & rights of the U. States wch. depends on their Councils.

A public Audience was yesterday given to the Minister of France in which he announced in form the birth of a Dauphin. The important light in which this event is regarded by the French Nation, and more especially the present conjuncture of public affairs rendered it proper to testify our satisfaction in it by the demonstrations specified in the Gazette of this morning.

We have been disappointed in procuring the Legislative proceedings of this State relative to the Inhabitants of the district lately in dispute between it & Virga. We are assured that the whole will be printed in time to be sent by the next post.[6] The explanation & apology which your Excelly's favor of the 4th instt. wishes to be made to the Chevr. de la Luzerne shall be duly attended to.[7] We shall also transmit the orders you think expedient with regard to the Stores at Boston.[8]

We have the honor to be with sentiments of the highest esteem & respect Yr. Exc[e]llency's Obt. & very hbl. Servants

J. Madison Jr.

Theok. Bland Jr.

Reprinted from Madison, *Papers* (Hutchinson), 4:235–38.

[1] For the Virginia delegates' now missing dispatch of November 17, 1781, see James Madison to Thomas Jefferson, November 18, note 1.

[2] The enclosure has not been found, but it was probably a copy of the journal entries for April 16 and 18, and May 1, 2, and 6 outlining the delegates' attempt to force Congress to confront decisively the November 3 report of the committee on western land cessions. See Virginia Delegates to Harrison, April 17, note 3; and James Madison to Edmund Randolph, May 1, note 4.

[3] The delegates are referring to the original postponement of the committee report on November 14, 1781, when only seven states were represented in Congress. See Edmund Randolph to Thomas Nelson, November 7, 1781, note 4.

[4] For Abraham Clark's May 1 motion to postpone consideration of the report until August 1 "in order that each State may be fully represented, and their delegates properly instructed," see *JCC*, 22:224–25.

[5] The committee of the Virginia House of Delegates to which the delegates' letter of November 17 and this letter were ultimately referred addressed itself only to the position the delegates should take on the peace negotiations. On June 1, however, a special committee, to which Edmund Randolph and Thomas Jefferson were assigned, began preparing for publication a defense of Virginia's title to its western lands. See Madison, *Papers* (Hutchinson), 4:239n.13, 271–72; and James Madison to Jefferson, March 18, 1782, note 6.

[6] See Virginia Delegates to Harrison, May 28, 1782, note 7.

[7] The governor had explained that he had not waited on La Luzerne during the French minister's recent visit to Virginia because he had been "extreemly lame" and therefore asked them to convey his apologies. Madison, *Papers* (Hutchinson), 4:207.

[8] Harrison had ordered that the Virginia stores in Boston not be sold "unless they will bring something near value." Ibid.; and Virginia Delegates to Harrison, April 23, 1782, note 3.

Arthur Middleton's Notes for a Speech in Congress

[May 15? 1782][1]

Against the Rules of war—if propos'd—Enemy should have notice of it.

Political failure—young placed under the blessings of Capitulation, this was the argument in the case of Cornwallis.

Preamble not agreed to—Grounds of the proceedings should be first laid.

Said it should be *secret*. I would not steal them—but deal in the open on fair footing.

Against it also because it is a *dear mode*—each worth £60. We cannot expect *retribution* for their maintenance.

Because it is dangerous, it is a sword with two Points—one of them against ourselves, not to be trusted in the Field or in Garrison—only good to keep up a show of [might?] at a distance from the Enemy.

Grand argument against it is the Consequences to our fellow Citizens—our Constituents. It will be exposing them to be [forced?] on board the ships—this they have had [to do?] but not *avowedly*, in no Instance—not by *authority*.

But they have desired to become Soldiers of the United States—this for the Bounty.

Question. Is not their *pay* due from the British? which they *will* relinquish.

Can we pay them *punctually?* and keep them easy—will they have the patience of natives or those bound to the Country by Connections? It does not appear to me probable.

Document of the Gentleman from New York respecting want of power in Congress is sound and good. The mode contrived to do it away futile. With power to hire foreign Troops—this Democracy by rotation might be converted into perpetual Aristocracy.

Argument of Political expediency not suffer to overset a fundamental rule of Conduct on which public security has so great dependance.

If this measure is adopted I could wish it brought by the Commander in Chief and that Congress should come to *no avowal* of it.

Sign of weakness in that we cannot or will not fill up our Armies from our own people.

MS (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] Middleton apparently drafted these shorthand notes this day during debate over Washington's April 27 letter concerning the failure of the recruiting service and his recommendation that "measures . . . be adopted, at this moment, for taking the German Prisoners of War into our service," which had been referred on May 3 to a committee consisting of Elias Boudinot, Samuel J. Atlee, and John Rutledge. See

JCC, 22:274–76; PCC, item 186, fol. 25; and Washington, *Writings* (Fitzpatrick), 24:175–77. Middleton first prepared a set of shorthand notes on the content of the committee's report which are in the Middleton Papers. He then drafted for use in debate this set of notes objecting strongly to the committee's recommendations. The report was subsequently amended and referred to a second committee—John Morin Scott, James Madison, and John Rutledge. Before that committee reported, however, Congress debated and rejected another committee report on May 24–25 endorsing an alternative proposal from Count Maurice August Beniowski to raise three separate legionary corps of 3,500 German troops, for which see *JCC*, 22:243n, 261n, 296–98, 308–9; PCC, item 19, 1:269–97, item 78, 4:299–302, item 149, 1:345–48, item 186, fols. 26–27, 30, item 191, fol. 15; and Washington, *Writings* (Fitzpatrick), 24:112–15, 163–64, 175. When Congress responded favorably on June 5 to the second committee's report on Washington's recommendation, Middleton continued to object. Sometime later he jotted at the bottom of his notes on the May 15 report the following observation: "This Scheme was Tacitly adopted by refering the June Report to the Secretary of War and the Superintendent of Finance *to Take order*." For the June 5 committee report, see *JCC*, 22:316–18, and Madison, *Papers* (Hutchinson), 4:318–21. For a discussion of congressional concern over German prisoners at this time, see Morris, *Papers* (Ferguson), 5:91–93.

Jesse Root to Jeremiah Wadsworth

Dr Sir, Phila. May 17th 1782

I am again returned to Congress where I expect to Stay through the Summer, which you know very well is disagreably sweating to both body & purse. I was at your house in Hartford three weeks ago today. Mrs. Wadsworth & family were well & would be Exceeding glad to Se you if the public Service Could permit.

I have this week recd. the disagreable & Malanchollv News of the death of My Daughter Polly, who died in less than a week after I left home. She was unwell when I came away but not thought to be any ways dangerous—this Stroke Comes near to me — — — — — —

The States are going on in their usual dilatory way. The business in Congress is much helped by the establishment of distinct Executive departments. Rivingtons News from New York is that Count D Grass in the Ville Paris is taken with three other Ships of the Line—this news is much Questioned for it Contradicts every other acct. recd. from the West Indies—as there has been Several arrivals from the West Indies Since the action which was on the 12th ulto,[1] and they are Sporting away largely in the Coffee house. I am Credibly Informed that not less than £20,000 was under wrote yesterday on the Ville Paris at 10 & 18 per Cent. Genl. Parsons has resigned & is out of the army,[2] his motives for it I am unable to Explain. Genl Carlten has arrived at New York & brot. the news of a total Change in the British administration & Cabinit. Last Monday the birth of the Dauphin of France was anounced to Congress in form by the Minister who had a public Audience for the purpose—& every demonstration of Joy was Exhibited on the occasion. I took the

Liberty to mention my Sons name to you in a former letter[3] who is now out of the army & out of business—Since which have not had the pleasure of a line from you. The British privateers have greatly distressed the Trade of this place, goods are growing dear very fast. Inclosed to you a News paper to which I refer you for the News of the day—and am with every Sentiment of respect your most Obdt. humble Servt. Jesse Root

P.S. Capt Nathl Shaw is dead of a wound recd. in his Side by the accidental going off of a fowling peice loaded with Duck Shot as he was moving it in his boat—he was buried the 9th ulto.

RC (NjP: Moore Autograph Collection).

[1] Comte de Grasse, the French naval commander in the West Indies, had been captured when his fleet was defeated by the British on April 12 off the Îles des Saintes south of Guadeloupe. See William M. James, *The British Navy in Adversity* (1926; reprint ed., New York: Russell and Russell, 1970), pp. 336–53.

[2] Maj. Gen. Samuel H. Parsons' resignation was not accepted by Congress until July 18, 1782. *JCC*, 22:383n.2, 388, 397–99.

[3] Not found.

Theodorick Bland to St. George Tucker

Dear Tucker Philadelphia May 20th 1782

Your last official letter containd one sent open to our care to be deliverd to the {minister of France}[1] in which are some expressions which at this critical Juncture produced in us some hesitation about the propriety of delivering it to the person to whom it was intended.[2] I write this to you sub sigilla Silentia—*with regard to its coming from me.* I could wish you to examine two paragraphs of it attentively which contain these words which I have marked underneath, viz {*if they are supported*}—and in the next paragraph {*dependance on our ally*}—and a little further on—"I {*entreat* you will not *disappoint them*}." We shall notwithstanding, the danger to which we are aware such a declaration as that in the first Quotation; and the ambiguity which is conveyd in the Second expression, at all events prosecute the intention of the letter—but as both of us are of opinion—the expressions have slipt in, in the Hurry of business or been promoted by a well intended zeal for the Publick Service we may perhaps think it prudent from the same motive last mentiond to defer delivering the letter untill it is reconsiderd in Council. We had drawn a draught of a letter expressing our Sentiments on this head {to the governor}—but as the Case was a delicate one, I have conceived it better that a revision shd. originate with you, in the mode proposed; and if you find it coincides with your opinion {in council} that they shd. be alterd or {softened}, I hope that you will so manage the matter—that we may have as early notice of it as possible. The measures, {which the new ministry are persueing} cannot but {excite a jealousy in our ally}— and in such a Situation every Idea tending towards it shd. be carefully avoided. Shd you find it meets with *general approbation* you may then venture to assert that there has *been a hesitation*—and that probably a revaluation or alteration of those parts may not be too late but as we have yet taken no step or come to any conclusion[3]—could wish again you wd. manage the matter with secrecy as to yr. having recd. so full a communication from me.[4]

RC (ViW: Tucker-Coleman Papers).

[1] Words in braces in this text were written by Bland in cipher.

[2] For the "last official letter" of May 11 from Gov. Benjamin Harrison and the Virginia Council of State, of which Tucker was a member, see Madison, *Papers* (Hutchinson), 4:232. It contained letters of the same date to superintendent Robert Morris and to French minister La Luzerne, for which see Morris, *Papers* (Ferguson), 5:163–64; and *Official Letters of the Governors of the State of Virginia*, ed. H. R. McIlwaine, 3 vols. (Richmond: Virginia State Library, 1926–29), 3:210–12. All three letters related to the method of payment for supplies purchased for the state in France, for which see Virginia Delegates to Harrison, January 24, 1782. Harrison had understood that the French court would pay for the goods and accept in return a Virginia bond pledging to reimburse France in five annual payments to commence at the end of the war. But, unknown to La Luzerne, the comte de Vergennes had altered the terms of the agreement and deducted the cost of the goods from a French-guaranteed loan from Dutch bankers to the U.S. government, terms which both Morris and Harrison immediately protested, though for quite different reasons. Morris filed his protest with Congress in late May and in a June 27 committee report his position—that the United States was not liable for state debts—was upheld. The point had become moot, however, because the Virginia delegates had since learned from La Luzerne that the transfer of the Virginia debt had been a mistake and that all parties would be accommodated. Ultimately, Morris made other arrangements to supply the Continental Line and in October Congress assumed responsibility for the undelivered clothing in France as well as a corresponding portion of Virginia's debt to the French government. See *JCC*, 22:307; Madison, *Papers* (Hutchinson), 4:233n.1, 308–9; and Morris, *Papers* (Ferguson), 5:74n.2, 251-52, 272, 274, 6:420–21, 533–34, 667–68.

[3] Bland and James Madison decided during the ensuing week to deliver Harrison's letter to LaLuzerne unaltered, for which see Bland to Tucker, May 28, note 2.

[4] This day Bland also drafted the following incomplete note to Tucker, largely in cipher, enclosed here in braces.

"I write to you on a subject purely Political—and under the Seal of Private Secrecy—the last {official letter contains some words [*in cipher*]}.

"{A representation of the state of our finance} was yesterday laid before congress {by Mister Morris. Their extreme critical situation from the slow progress the states have made} will produce from him {and probably from Cong an address of the most serious nature.}

"{In transmitting specie to the treasury}." Tucker-Coleman Papers, ViW. For the "representation of the state of our finance" laid before Congress by superintendent Robert Morris, see Jesse Root to Jonathan Trumbull, May 24, note; and John Dickinson's Notes, May 31, note 1.

James Madison to James Madison, Sr.

Hond Sir Philada. May 20th. 1782

Having written a letter[1] and inclosed with it a large collection of Newspapers for you which was to have been carried by Mr. J. Smith, but which I have now put into the hands of Capt. Walker, whose return will be quicker, little remains for me to add here. Our anxiety on account of the West India news published at New York is still supported by contradictory reports and conjectures. The account however to which Rodneys name is prefixed renders our apprehensions too strong for our hopes. Riving[t]on has been very bold in several of his spurious publications, and at this conjuncture might venture as far to serve a particular turn as at any, But it is scarcely credible that he would dare or be permitted to sport with so high an official name.

If Mr. Jefferson will be so obliging as to superintend the legal studies of Wm. I think he cannot do better than prosecute the plan he has adopted.[2] The interruption occasiond by the Election of Mr J. altho' inconvenient in that respect, is by no means a decisive objection agst. it.

I did not know before that the Letters[3] which Mr. Walker was to have carried last fall had met with the fate which it seems they did. I shall be more cautious hereafter. The papers missing in your list were I presume for I do not recollect, contained in them.

The short notice does not leave me time to obtain the information you ask as to Stills. I have never heard of Iron Stills being cast here, nor do I know the price of Copper ones.

If Continental money passes here at all it is in a very small quantity, at very great discount, and merely to serve particular local & temporary ends.

It has at no time been more difficult for me to fix my probable return to Virga. At present all my Colleagues have left Congress except Col. Bland, and it is a crisis which calls for a full representation from every State. Anxious as I am to visit my friends as long as I sustain a public trust, I shall feel a principle which is superior to it. The State of my finances also unless the Assembly shall make a different provision for the Delegation from what has hitherto been in force, will be a serious bar to my removal from this place. I shall I believe be under the necessity of purchasing a carriage of some kind besides discharging considerable arrears, & where the means for effecting either are to be found is totally without my comprehension.

Capt. Walker tells me you have a [colt?] which you propose to reserve for a Stu[d.] If he be not very fine, I should be exceedi[ngly gra]tified in his being prepared for the saddle. [Neither] of the

Horses I have here is fit for that use, [in?] that both of them are growing too old f[or] further use of any kind. With my very affectionate regards for all the family,

I am yr. dutiful son, J. Madison Jr.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:255–56.

[1] Not found.

[2] For the legal training of Madison's brother, William, see Madison, ibid, p. 121n.7.

[3] Not found.

John Rutledge to Thomas Sim Lee

Sir, Philada. May 20, 1782

The Bearer, Mr. Smith, late Rector of St. Philip's Chas. Town, a very worthy Gentleman & my particular Acquaintance, having been expelled (with other staunch Whigs,) from that place, by the Enemy, is about to set off for Maryland, with Intention of accepting one of the Offers, in the way of his Junction, which have been made to him from that State untill Circumstances will admit of his resuming his former Station in So. Carolina[1]—I take the Liberty (which I am persuaded your Excellency's Politeness & Philanthropy will readily excuse) of recommending him to your Attention, & am with great Esteem & Respect, Sir, yr. Excellencys most obedt. Servt.

J. Rutledge

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] Robert Smith (1732–1801) had been offered the position of acting rector of St. Paul Parish in Queen Annes Co., Md. See *Bio. Dir. of S. C. House*, 3:671–73.

James Madison to Edmund Randolph

Dear Sir Philada. May 21st. 1782

Your favor of the 10th[1] was recd. yesterday. I suspect that I have expressed myself ambiguously with respect to Mr. Jefferson. He does not alledge ignorance of the report of the Committee, but of the title of N.Y. which is the ground on which the report places the controversy with Virga.[2]

I have no addition to make to the European intelligence contained in my last. The answer to the request of Carlton went in the negative as I anticipated. The intelligence published at NY. relative to the action in the W. Indies, has converted our hopes into apprehensions. The evidence recd. of the favorable issue mentioned last week, appeared so clear & satisfactory that full credit was given to it.

It is not even yet totally invalidated, but the opposite scale is fast preponderating.

The final report of our suit to Congress for an answer to the Western Cession was sent by the last post.[3] Mr. Jones can explain every thing relative to it. I feel myself much disburdened by the termination of the business. If it sd. be revived here in consequence of steps taken by the Legislature, I flatter myself it will be under circumstances less embarrassing.

We have recd. a remittance from Mr. Ross which renders it unnecessary for you to go out of the way to remit the small sum I advanced for you.[4]

I am prevented from adding another paragraph by the want of the Cypher which Col. Bland has in his possession & is making use of.

Adieu J.M. Jr.

[*P.S.*] The Govr. has not inclosed us any letter either from Mr. M[orris] or the Minister of F. but a letter from him to each. Obtain a perusal if you can of that to the latter[5] & I shall hear from you &.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:262.

[1] See ibid., pp. 225–27.

[2] See Madison to Randolph, May 1, notes 4 and 6.

[3] See Virginia Delegates to Benjamin Harrison, May 14, 1782.

[4] See Madison to Randolph, April 23, note 3.

[5] See Theodorick Bland to St. George Tucker, May 20, 1782, note 2.

John Morin Scott to George Clinton

Sir, Philadelphia, May 21st. 1782.

I have nothing particular to communicate to your Excellency in an official line. I should not, therefore, at this time have solicited your attention, had it not been to inform you of the necessity of an immediate successor to Colonel Floyd who left us last week.[1] The usual unpunctuality of members in relieving each other now gives us a thin Congress at a critical season, when a full representation of all the States is absolutely necessary. I wish our State may not long lie under the imputation.

I am anxious to hear how our two late Acts have operated on the minds of the inhabitants of the Grants. I have communicated them to several of the members. Our friends think we have been too liberal in one. Others think the Act of Oblivion should have contained no exceptions. I am of both opinions. However, such as the Acts are, I shall this day lay them before Congress. And as the manoeuvres of others have not taught but compelled me to do the like in my turn, I shall follow the reading of them with a motion comprehending them verbis, syllabis, et figuris, *That they be referred to a special Committee to report thereon.* It will perhaps be one of the longest motions that ever was made; but it is the only effectual measure to introduce them on the journals. To attempt this in any other way would probably, for evident reasons, be attended with great opposition. The event of the day on the business, I shall insert before I close.[2]

I find I can get nothing done to purpose on the concurrent Resolutions of our Legislature respecting the levies and the two State Regiments, till I can assure Congress, that our line is full. I must therefore entreat your Excellency to favor me with returns; that I may announce the fact on the floor of Congress. This will probably ensure success to a motion for complying with request contained in the concurrent Resolutions. I am the more impatient for those returns, for reasons which with many other particulars of too delicate a nature to entrust to a stated post, I shall take the liberty of conveying to you more safely by a private hand.

We are in the most anxious suspense concerning the event of the naval action in the West Indies, of the 12th ult. The situation of our minds is such as is always the case, when an important event is presented to their view, by accots. flatly and circumstantially contradictory.

I send the papers of last week and this day to my family with a strict charge that in this and every future instance they immediately transmit them to you.

I have made my motion on the two acts. It has miscarried by a small majority against it. However, I called for the yeas and nays. This will bring the Acts on the Journals with my motion. This is all I expected, considering how thin Congress now is.[3] After this, I think the State will be fully justified in pursuing its own measures.

I am, Sir, with the greatest respect, your Excellency's most obedt. humble servt. Jno. Morin Scott

Tr (MH–H: Sparks Collection).

[1] William Floyd addressed this problem himself in the following May 22 letter to Clinton written upon his return to "Peeks Kill."

"Congress is now so thin that they Can With Difficulty make a house, and unless one of my Colegues Goes on Soon, I expect you will Receive a Letter from Congress on the Subject.

"There is Nothing done Respecting the Grants, nor Do I think that Congress Ever will do any thing in the matter, therefore if it was possible for our State and N.H. to Come to Some Settlement between themselves on that Subject I think it would be the only Effectual mode of puting an End to that Disagreable Business. The Report of the Committee Respecting (ours and Others) Cessions of the Western Lands, has Been under Consideration But is now pos[t]poned I dont Expect it will be taken up very Soon tho there did not Seem to be any Objection to the Cession made by New York, But Difficulties arose with Respect to that of Virginia." Burnett, *Letters*, 6:354.

[2] Scott did indeed read these two April 14 New York acts in Congress this day, but

his motion to have them referred to committee was supported by only four states and was lost. See *JCC*, 22:281–86; and the concluding paragraph of this letter.

[3] As Scott was the state's only delegate in attendance at this time, his motion was not even supported by the vote of New York. Ibid., p. 286.

Abraham Clark to Caleb Camp

Sir, Philada. May 22d. 1782

The Navigation of the Delaware being not only interrupted but at present Stoped by the British Cruisers, great Numbers of the Traders it is said are turning their Attention towards New York, from which place they principally expect to procure goods. This therefore ought to take up the first attention of the Legislature of New Jersey, as through that State all the goods must come. On our Legislature at this Time much depends. Money is going from hence to New York to Amounts almost incredible, and if not prevented will soon Drain the Continent of all the hard Cash; we are with hasty strides ruining ourselves by this destructive Commerce. I hope therefore no time will be lost in giving it a deadly blow—trifling measures will not answer, and yet you may do so much as to Spoil all. I wish the measures may be to

1st. Repeal all former Laws so far as not to affect Causes now depending under them.

2d. Make all goods, wares & Merchandize coming from the British Seizable—half to the State & half to the Seizor in all Cases whatsoever—the Condemnation as heretofore.

3d. Persons taken bringing out goods to forfeit to their value.

4th. All Goods Seized to be sold at public Vendue, the purchasers to be restrained from Selling them again or recurring them out of the state unless in Cloathing they wear.

5th. The 4th Article Agreed to will Naturally give place to a Clause to prohibit the sale of British goods in all Stores & Shops, as by the fourth Article it is to be presumed none will buy but for their own Consumption for while British goods are publickly sold in Shops it will be impossible to Stop the trade. As to Prize goods brought in from Sea, we get so few in New Jersey they can be disposed of as Seized goods are.

6th. Except Salt, Subject however to inspection.

7th. Lay fines or Annex punishments for sending any produce to the Enemy (flax seed & Cyder possibly might be excepted). The forfeitures for going into the Enemies Lines must be continued or encreased. Any thing going to the Enemy may be Seized if the fact can be Ascertained but in most cases this will be impossible, and no decision ought to go upon Conjectures, otherwise no man is safe in his property. The most difficult part of the Law will be with respect to produce going to the Enemy but you had better be altogether Silent on that head than Countenance Seizures & Judgments founded on Conjectures & Suspicions, as hath frequently hapened.

Please to communicate this to Mr. Potter, it being the Substance of what I mentioned to you in Conversation, the Necessity of Spedy measures makes me remind you of it.

I am, Sir, your Humble Servt, Abra. Clark

RC (NjHi: Clark Collection).

Charles Thomson to the States

Sir, (Circular) Secy's Office May 23d. 1782.

I have the honor to enclose a Resolution of the United States in Congress Assembled passed the 21st authorizing the Executives of the several States in certain Cases to suspend the commissions of Captains of private armed Vessels;[1] and as there is reason to suspect that not only the Enemy but even some persons of doubtful character in the States make an improper use of Commissions Unduly Obtained I beg leave to call your Attention to the recommendation of Congress of 10th of November 1780, a Copy of which is also enclosed.[2]

I have the honor to be, &c &c C.T.

LB (DNA: PCC, item 18).

[1] This resolution was adopted in response to appeals from Gov. Jonathan Trumbull of Connecticut for authority to suspend privateer commissions "in cases of malconduct," which had been referred to a committee consisting of William Ellery, Elias Boudinot, and George Clymer on May 4. See *JCC*, 22:280–81; and Thomson to Jonathan Trumbull, May 4, 1782. For this committee's report, which was drafted by Ellery, read in Congress on May 9 and adopted on the 21st, see PCC, item 20, 1:335–36.

For Congress' concern over other aspects of the problem of "illegal intercourse" with the enemy, see also Virginia Delegates to Benjamin Harrison, April 2, 1782, note 1.

[2] See *JCC*, 18:1043; these *Letters*, 16:329–31; and the following entry.

Charles Thomson to Jonathan Trumbull, Sr.

Sir Secy's Office May 23d 1782.

The Committee to whom your Excellly's letters of the 24th of April were referred having made report Congress have passed a resolution thereon, which I have the honor to enclose.[1]

I beg leave to inform your Excellency that no commissions for private Armed Vessels are granted by Congress but through the medium of the Executives of the several States, to whom blanks are transmitted from this Office; That Congress expect pursuant to their recommendation of the 10th of Novr. 1780 that the Governors or Presidents of the several States who grant commissions are careful to have inserted on the back of the Commission a minute description of the persons of the Captain & his lieutenant with their Age, stature, complexion &c certified by the Governor or President under his seal, so that your Excellency by calling for the commission of A M Dayton of Newhaven mentioned in your letter of the 24th of April to his Excellency the President of Congress, will see from whom he has procured it, and if it should be found not to have the Above endorsement there will be reason to suspect he has not procured it fairly & your Excellency will doubtless take effectual measures to prevent any further exercise of power under a commission improperly obtained.

I have the honor to be &c &c, C T

LB (DNA: PCC, item 18).

[1] See Thomson to Trumbull, May 4, 1782; and the preceding entry.

Jesse Root to Jonathan Trumbull, Sr.

Sir, Philadelphia, May 24th, 1782.

Congress have Judged it necessary to appoint Two of their Members to proceed to the Southward & two to proceed Eastward to Make Certain Communications to the Legislatures of the several States, of great Importance to the Weal & Safety of the United States, which otherways it was thought Could not be so well done. The Members appointed will Set out next Monday & will probably be at Hartford in the Course of week after next, at which time it is Expected the Genl Assembly of Connecticut will be Sitting. The particulars of the action between the two fleets in the West Indies Seems not yet to be fully ascertained, but the prevailing Opinion is that it terminated in favour of the French—there is a report in Town, which Comes out of New York, that New Providence is taken. The resolution upon your Excellency's letter respecting Commissions to private armed vessels is passed—authorising the Executive of the States to suspend & report such as Misbehave, &c. Your Excellency will pardon the haste with which I write, as the Express is waiting.

With the highest respect & esteem, I am, Your Excellencys most obedt. humbl servt. Jesse Root.

RC (Ct: Trumbull Papers).

[1] Root failed to mention that he had been one of the delegates selected for these special missions to the states to urge immediate compliance with their Continental quotas. He and Joseph Montgomery had been directed "to proceed eastward," while George Clymer and John Rutledge were to confer with officials of states south of Pennsylvania (except South Carolina and Georgia). See John Dickinson's Notes, May 31, 1782, note 1.

South Carolina Delegates to the Chevalier de La Luzerne

Sir, Philadelphia May 25. 1782.

We have received your Excellency's Letter, of the 17th ulto., addressed to the delegates of South Carolina, & would have answered it sooner, but that it was necessary to obtain some Information, respecting the Stores sent from the King's Magazine, at Martinique, in Charge of M. de Bretigny, for the Use of our State.[1] On Inquiry We find, (as We imagined,) that he carried those Stores to North Carolina, where they were delivered to the order of Major Genl. Gates, for the Continental Army under his Command.

The deranged Condition of the Finances of South Carolina render immediate payment, for the Truite & the Bricole, impracticable, but, whenever Charles-Town shall be recovered & the People have, in some Degree, retrieved the immense Losses which they have sustained by the War, We doubt not, that the State will chearfully discharge this Debt.

We shall transmit your Excellency's Letter, by the first opportunity, to Governor Mathews,[2] that he may not only keep in View the Demand for the price of those, Vessells, but procure, & send to Congress, the proper vouchers, to shew that the Articles furnished by the Marquis de Bouille were applied to the Use of the united States, who should therefore pay for them.

We apprehend the Purchasers of the Prizes sold by the French Consul in Charles-Town, reside at that place—if so, whilst the Enemy keep possession of it, no Step can be taken to procure the Money for them.

We have the Honour to be with great Respect, Sir, yr. most obedt & most hble Servts.

J. Rutledge

David Ramsay

A Middleton

RC (Archives du Ministère des affaires étrangères: Correspondance politique, États-Unis, Supplement, vol. 29). Written by Rutledge and signed by Rutledge, Middleton, and Ramsay.

[1] For several aspects of the marquis de Bretigney's career in America, see these *Letters*, 10:511, 11: 523–24, 12:344.

[2] The delegates' letter to John Mathews has not been found.

Ezekiel Cornell to Welcome Arnold

Sir Philadelphia May 27th. 1782

This will be handed you by the Honl. Mr. Montgomery a Delegate for the state of Pensylvania on his tour by order of Congress to wait on the Legislatures of the several states to the Eastward of this.[1]

This Gentleman came into Congress in the year 1780 soon after I had taken a seat, at that time our acquaintance first began, the length of time has encreased our Friendship which now induces me to recommend him to you. I think he is a Gentleman worthy your notice but you will be better able to judge upon an acquaintance. I shall feel the joy Sir and acknowledge my self under particular obligations for any notice you may take of him.

I am dear Sir with respect and Esteem your most obedt. Humble [Servant], [Ezekiel] Cornell

RC (MHi: C.E. French Autograph Collection).

[1] See John Dickinson's Notes, May 31, 1782, note 1.

John Hanson to Philip Thomas

Dear Doctr. Philadelphia May 27th 1782

I received yours of the 20th by Colo Nichols, with the Cash you mention in your letter, for which I am obliged to you, it Came very opportunely. Our State is rather tardy in remittances to their Delegates.

We are Still under the most disagreable uncertainty respecting the Battle of the two fleets in the West indias. Some Accounts are favourable, while others are not. The Martineque Account Contained in this days paper is I think most probable, and we had little doubt of the truth of it 'till the Arrival of a Vessel from St. Thomas in fifteen days—the Capt of which says that the report there was more unfavourable for the french than even the Account given in the Antigua paper, but Still no accounts had been received there that Could be relyed on, and bets run very high respecting the Issue of that Engagement. This day the Capt of a Vessel from Martineque Arrived here in twenty days who says that the people there were under equal perplexity with our selves, haveing no particulars that Could be Safely Credited. Both fleets it was Supposed were gone to Leward, which might have prevented a Speedy information being given. I hope in the end it will turn out that Counte de Grasse has obtained his object by forming a junction with the Spanish fleet at Hispaniola, and tho' he may have Suffered much in the engagement (which I am pursuaded is the Case with both fleets) he has gained a Victory.

The Official Intelligence from Europe is favourable. The Dutch are Slow in their Decissions, and the Spanish much more so, but it is probable, our Minister at the Hague will in a short time, be received by the states General in his public Character, of Course the Independence of America Will be by them Acknowledged. Lippincut the Murderer of Capt Huddy not being given up, General Washington ordered An officer to be taken by ballot from among the British at Lancaster And Capt Coote[1] a Son or nephew to Sir Erie Coote in the East Indias, is Sent to Head Quarters, as a Subject for retaliation, who will undoubtedly be Excuted unless the perpretrator of that Horrid Murder is Surrendered in time—this affair it is to be hoped will encrease the Animosity Allready Subsisting between the British, and the Refugees; If he is given up the latter will think themselves Injuriously treated, And if a British Officer (and especially one of such powerful Connections) is Sacrafised to Save the life of a Refugee, it must excite indignation in the former and occasion Such uneasiness and dissatisfaction in their Army, as will not be easily removed—have inclosed the papers. We are all pretty well. Caty thanks you for the notice you take of her, She presents her Duty to you And love to her sister & Brother in which she is joined by your mother. And Yrs. affectionately, J H

[*P.S.*] Our Compliments to all friends.

RC (MdHi: Hanson Letters).

[1] The rumor that Captain Coote had been selected as the potential victim in retaliation for the execution of Joshua Huddy by Richard Lippincott was unfounded and premature, inasmuch as the choice actually fell on Capt. Charles Asgill and had been made at Lancaster by means of a drawing held at 10:00 a.m. this very day. The circumstances that led to the selection of Asgill were explained in detail by Gen. Moses Hazen in a May 27 letter to Washington which is in the Washington Papers, DLC. See also Washington, *Writings* (Fitzpatrick), 24:217–19, 262–64, 305–6n.32; and James Madison to Edmund Randolph, May 1, 1782, note 10.

Theodorick Bland to St. George Tucker

Dr. Tucker No. 5 Philada. May 28th 1782

The late arrival of the post last night, and it being my turn to write the Public letter, puts it out of my power to be so full by this post as I could wish to be. I have however determined not to be silent. As I see you are *reforming*—and as I am convinced that a habit of Indolence which is the growth of *our Summer's* might creep on you insensibly, & know that example is more prevalent than Precept, I have determined to shew you the latter rather than Preach the former. your finesse of (No. 3) will not take. I keep an exact register and letters by the post never miscarry—send none of yours to me by a Private hand—you shall have no excuse—they will not count—Neither have I received any that way. I register them regularly. I have seen with pleasure the former weighed in his own scales—it must be a usefull *experiment* at this time—popular errors and popular prejudices must be rooted out, *age* & *experience* are too respectible Authorities to be Combated. I have formd an acquaintance with common-sense in Philada. since I came last here and from the knowledge I had of his Brother in Virginia, I propose to make myself the medium through which the Complements of one pass to the other. The news of Rodneys Victory which we had here as soon as you had—has been contradicted, with every appearance of Probability—it has been believed, disbeliev'd & rebelieved here half a Dozen times, and now credulity itself is at a stand. You will see all the pro's & Cons in the papers, they are too long to insert in a letter. I am highly pleased at your having a good house and a likelihood of much good being done this Session. Our Public letter[1] contains Intelligence of great importance—& as you have access thereto officially I need not repeat it here, it is of a Secret nature—writing in Cypher is tedious, & time precious. The Subject of my last letter is at an end, we have decided, the letters are deliverd & must now take their Chance.[2] We considerd ourselves as only vehicles—and not responsible for any effects one of them might produce. Entre nous—I think the remonstrance was just but some of the words objectionable. This will not suffer my pen to Run on—God Bless you—my love to all *real Friends*, adieu.

RC (ViW: Tucker-Coleman Papers). In Bland's hand, though not signed.

[1] See Virginia's Delegates to Benjamin Harrison, this date.

[2] For the "Subject of my last letter," see Bland to Tucker, May 20, note 2.

Philemon Dickinson to William Livingston

Sir, Philada. 28th May 1782.

As the Commander in Chief, has made a requisition to the Executive of this State, for 4,000 Militia, to be in readiness, to march on the shortest notice—It is probable, a similar application may be made to your Excellency, & the honble. the Legislature of our State. I therefore think it my duty, to inform your Excellency, & that honourable body, that my acceptance of a Seat in Congress, with which I was honor'd, by the Delaware State, will not prevent my attendance in *The Field*, whenever it shall be judged necessary.[1] I beg your Excellency will be so obliging, as to make this communication, to the honble. the Legislature, of the State of New Jersey.

I have the honor to be, Your Excellency's most Obt. Sevt,

Philemon Dickinson

RC (MH-H: bMS Am 1649.5). Addressed: "His Excellency Govr. Livingston in Trenton."

[1] Dickinson (1739–1809), who had been elected a delegate to Congress by the Delaware Assembly February 2, 1782, had resided in New Jersey since 1767 and had served as major general and commander of the New Jersey militia since 1777. General Dickinson had remained a large landowner in Delaware and his brother John had been elected president of Delaware in November 1781. However, the issue of nonresident representation became a public issue in 1782, which resulted in a political upheaval that led to their removal in 1783. See *DAB*; *JCC* 22:75; and Samuel Wharton to John Dickinson, February 17, 1782, note 2.

John Hanson to the States

Sir, Circular. Philadelphia 28th May 1782.

The necessity which occasioned the Act of Congress of the 27th instant, a copy of which I have the honor of enclosing, is sincerely to be lamented, and I could wish had been avoided.[1] To experience Inattention to the general Good at this great and important Crisis, when the collected Wisdom of the Union is particularly required, is painful indeed, and must leave an unfavorable impression. A moment's reflection, I am convinced, will produce the same sensations, in your Excellency's Breast, which I feel on this occasion, and will plead more powerfully for an immediate compliance with the recommendation of Congress than any thing that can be urged by me.

I have the honor to be &c &c. J.H.

LB (DNA: PCC, item 16).

[1] For the enclosed May 27 resolution calling on the states "to keep up a constant representation," and urging the unrepresented states to send delegates to Congress immediately "inasmuch as business of the greatest consequence is often delayed or

retarded for want of a sufficient representation," see *JCC*, 22:301. Only seven states were represented on the most recently recorded roll call votes of May 25. *JCC*, 22:298–300. The states unrepresented at this time were New Hampshire, Connecticut, New York, New Jersey, Delaware, and North Carolina.

John Lowell to Samuel Adams

Dear Sir [May 28? 1782][1]

The very great Embarrassment which attends all our Operations from the Neglect in the several States to furnish their Quota of Taxes, has induced Congress to send four of their Members (two to the southern & two to the eastern States) to excite them to an immediate Attention to the Subject, by communicating to them the critical State of our Affairs, & the absolute Necessity of an immediate Supply. you will be surprized to find how truly critical this Neglect has rendered our Situation, the Delicacy & Danger of representing which, by writing, has produced the Measure which Congress has adopted. Mr. Root & Mr. Montgomery are the Gentlemen who visit our State, with both of whom I think you are personally acquainted. Govr. Rutledge & Mr. Clymer go to the Southward.[2] Dr Franklin inclosed the Minister of foreign Affairs a Letter from Mr Adams,[3] wherein he informs him of a Conversation he has had with Digges who was introduced to him by Letters from David Hartley which assured Mr. A. that he came from the highest authority, their Conversation was about a Truce or a Peace in very general Terms, but at parting Digges told Mr. A. he had fully answered the Design of his Mission, which was to be assured whether there were in Europe Persons properly authorized to treat of & conclude a Truce or Peace. Mr. A. informed Digges by a Billet before he saw him that he should communicate whatever passed between them to Dr. Franklin & the Count De. Vergennes. Dr. F. informs the Minister of foreign Affairs, that Application has been made to him, the Particulars of which he shall give by the *next* Opportunity, & that Overtures have been made to the Count De Vergennes to bring about a separate Peace with France, on Terms very favourable & acceptable to that Court, if unallied; the Minister of France has informed several of us of the same Thing & that the Proposition was rejected with Disdain; but why Dr. Franklin omitted to give us by the last Vessell an Account of the Conversation he had held, or why Mr. A. was permitted to communicate to the Count Vergennes his Conversation with Digges, are yet to be accounted for. The french Minister here & his Masters are very evidently greatly alarmed at the Prospect of Overtures from Great Britain to us—But if nothing more transpires than has yet, they may be very easy, for by what has been yet communicated (which is only the Commission of Sir Guy Carleton & a Copy of the Bill you see in Print) they rather seem to intend to insult than conciliate us. Mr. Adams informs us that ten or eleven Cities have agreed to receive him & he expects in a very few Weeks to have the Independance of America acknowledged by the States, the Prince having declared that he shall not attempt to resist a Torrent which he finds will make its Way. If anything which I shall suppose worthy your Notice shall occur, I will communicate it. I am with much Esteem your Friend & Servt. J Lowell

RC (NN: Samuel Adams Papers).

[1] Lowell probably wrote this undated letter before the departure of Joseph Montgomery and Jesse Root from Philadelphia on May 29 for their mission to the "eastern states," but after the dispatches of John Adams and Benjamin Franklin discussed in this letter were read in Congress on May 27.

[2] See John Dickinson's Notes, May 31, 1782, note 1.

[3] Benjamin Franklin's March 30 letter to Robert R. Livingston, and John Adams' March 26 letter to Franklin were read in Congress on May 27 and assigned to a committee of Abraham Clark, James Madison, and Jesse Root. See Charles Thomson's Committeebook, PCC, item 186, fol. 30; PCC, item 82, 2:142–49; and Wharton, *Diplomatic Correspondence*, 5:273–75, 277.

James Madison to Joseph Jones

Dear Sir May [28] 1782[1]

A letter from Doct. Franklin of the 4th of March informs the Superintendt. of Finance that the {court of France had granted an aid of six million of livres to the United States}[2] for the {present year}.[3] It appears {however that this aid has been wholly anticipated} as well as the {aids} of the {last year} by {bills of exchange}, by {supplies} for {the army} particularly those {in Holland, by the debt} to {Beaumarchais} amounting to {two million} & {a half of livres}, by {the interest mony}, by the {deduction} on account of {Virginia computed} at {seven hundred thousand livres} &c. The States {must therefore} by {some means} or {other supply the demands of Congress} or a {very d[ange]rous[4] crisis must ensue}. After the difference between the {modes of feeding the army} by {contracts} & by {the bayonet has been} experienced both {by the army and the people, a recurrence to the latter cannot be too much dreaded}.

{The province of} Friesland has {instructed its delegates in the States general to concur in a public reception of} Mr. Adams. The {city of Dort} has done {the same to theirs in the} provincial {assembly of Holland}.

The above letters came by the Alliance wch. is arrived at Rhode Island. Capt. Barry I am told says the {the marquis}[5] will {come} with {a squadron} for {the American coast} which was {equipping}. If {this be true} Barry is {wrong} in {disclosing it}. I {distrust it}.

A French Cutter is since arrived after a short passage with despatches for the Minister here. He recd. them on Saturday by an express from Salem, and has not yet communicated their Contents to Congress. I {understand through the secry} of {foreign affairs} that {the court of London has lately proposed} to {the court of France a separate peace} as the price of {which she would} place {Dunkirk in} its {former state}, make some {sacrifices in the East Indies and accede to a status quo in the West Indies. The answer of France was dictated by her engagements with the United States}. This insidious step taken at the same moment with the agency of Mr. Carlton will I hope not long be withheld from the public. We have heard nothing from this Gentleman since the answer to his request of a passport for his Secretary.[6]

In order to explain our public affairs to {the states and to urge} the necessity of complying with the requisitions of Congress, We have determined to {depute two members} to {visit the eastern states} and {two the southern}. The first are {Root and Montgomery}. The others {Rutledge and Clymer}. I put this in Cypher because Secresy {has been enjoined by Congress}. The {deputation} will probably set off in a few days.

I find that {the minister of France has been informed by some correspondent in Virginia that the late intelligence from Britain has produced very unfavorable symtoms in a large party. He seems not a little discomposed at it. The honour of the state concurred with my own persuasion in dictating a consolatory answer to him}.[7] For this reason as well as for others I think it would be expedient for {the legislature to enter into a unanimous declaration on this point}. Other {states are doing this and such a mode of} announcing {the sense of the people may be regarded as more authentic than a declaration from Congress. The best form} I conceive will be that of an {instruction to the delegates}.[8] Do not fail to supply me with {accurate and full general? informations} on the whole subject of this paragraph.

A letter from Dr. Franklin of the 30th of March inclosing a copy of one to him for Mr. Adams at the Hague were laid before Congress subsequent to writing the above.[9] By these it appears not only that an essay has been made on the fidelity of France to the Alliance, but that the pulse of America has been at the same time separately felt thro' each of those Ministers. They both speak with becoming indignation on the subject, attest the firmness of our ally, and recommend decisive efforts for expelling the Enemy from our Country. Mr. Adams says "{ten or eleven cities of Holland} have {declared themselves in favour of} American independence {and} it is {expected} that to{day or tomorrow} this {province} will {take the decisive resolution of admitting me} to {my audience}. Perhaps some {of the other provinces may delay} it for {three or four weeks but the prince has declared} that {he has no hopes of resisting the torrent and therefore} that {he shall not attempt it. The Duke de Vauguion has acted a very friendly and honourable part in this business without however doing any ministerial act in it.}" What was said above of {Friesland} came from Mr. Berkley the Consul.[10] Mr. Adams says {nothing of} that {province altho'} his letter is {of later date}. If this sd. find you at Richmond, it will be unnecessary for you & Mr. R[andolph] both to be at the labor of decyphering, the above being copied from his letter. I made this provision for the contingency of your not having proceeded to Richmond. That you may not give me more credit for it than is due, I must confess that you owe it in part to the facility which my letter to him in Cypher afforded for repeating the intelligence to you. I believe I have omitted one paragraph on another subject which he will communicate to you.[11] Whitesides has the means remitted for taking up the note in which I am concerned. I have urged Mr. R. to return & charged him to urge you. Let me hear from you on that subject, & let it be favorably. Farewell

J. M. Jr.

[*P.S.*] Yr. favr. of 21 was rcd. 1/2 after 9 OC last night.[12]

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:287–89.

[1] In dating this letter later in life, Madison first wrote "Decr 1781" and later, using different ink, crossed it out and wrote "May — 1782," no doubt after he compared it with his letters of this date to Arthur Lee and to Edmund Randolph. See note 11 below.

[2] Words in braces in this text were written by Madison in cipher.

[3] Copies of Benjamin Franklin's March 4 letter to Robert Morris and the comte de Vergennes' February 6 letter to Franklin were enclosed in the superintendent's May 24 letter to Congress which was read that day. For these letters announcing the new French loan, a copy of Vergennes' "Sketch of the Account of Congress With the Royal Treasury," and Congress' directive to Morris to render "an account of all money borrowed or granted in Europe, by or to the United States, antecedent to the 4 day of March last," see *JCC*, 22:290–96; PCC, item 137, 1:471–85; and Morris, *Papers* (Ferguson), 4:340–46, 5:251–54. Although Congress had rejected at this time motions for appointing a special committee to investigate the disposition of funds made available to the United States in Europe, the issue was revived on July 25 by Arthur Lee, for which see Charles Thomson's Notes of Debates for that date.

[4] At this point Madison used the wrong cipher number for the bracketed portion of the word "dangerous." After some confusion, Jones finally rendered the word as "serious."

[5] That is, the marquis de Lafayette.

[6] See John Hanson to Philip Thomas, May 14, note 2.

[7] This "consolatory answer" has not been found.

[8] For these instructions, see Madison, *Papers* (Hutchinson), 4:271–72.

[9] See the preceding entry, note 3.

[10] For this March 7 letter of Thomas Barclay, U. S. consul in France, to Robert R. Livingston, see PCC, item 71, fols. 1–4.

[11] Madison's letter of this date to Edmund Randolph, which is now missing, was originally printed without any indication of ciphered passages in *The Papers of James Madison*, ed. Henry D. Gilpin, 3 vols. (Washington: Langtree & O'Sullivan, 1840),

1:130–34. The information "on another subject" which was not copied in Madison's letter to Jones is as follows:

"The Secretary of War has just given notice to Congress, that the Department of Finance is unable to supply the essential means of opening the campaign. This shocks, rather than surprises, us. It will be one article in the communications of the deputies above mentioned, and adds force to the expediency of their mission. The denial to Congress of the right of granting flags is singular indeed. May not the power of Congress to agree to a truce be contested on the same grounds? The former is a partial truce, and if the silence of the Confederation reserves it to the States, the same silence reserves the latter. Admitting that Congress had the right of granting flags, was it not exercised to the advantage of Virginia in procuring a vent to her staple, and stopping the exportation of her specie?" Ibid., pp. 133–34.

On the issue of exporting Virginia tobacco in flags sailing under Continental passport, see Madison to Randolph, May 29, note 4.

[12] See Madison, *Papers* (Hutchinson), 4:259–61.

James Madison to Arthur Lee

Dear Sir, Philadelphia, May 28, 1778 [1782].

I received your favour of the 16th inst.[1] between nine and ten o'clock last night, the post having been delayed by sickness. I shall pursue your commands with respect to the bill enclosed in it.

The arrival of the Alliance frigate at Rhode-Island, and the subsequent arrival of a French cutter at Salem, have furnished congress and the minister of France with pretty late intelligence from Europe. The latter has not yet communicated the contents of his despatches. Those from our ministers at Versailles and at the Hague inform us that British emissaries had been practising every address to each of them to feel the pulse of their constituents, and debauch them from their engagements with France. At the same time very tempting concessions were held out to the latter for a similar purpose. Proper answers were given to each of these insidious applications. These circumstances afford a seasonable admonition to the credulous, of the wickedness of Mr. Carlton's mission. We have heard nothing from this gentleman since the refusal of a passport for his secretary to visit congress.

Mr. Adams seems to be making considerable progress in Holland towards an acknowledgment of his public character. He says the prince had declared his inability to resist the torrent in favour of a connexion with the United States.

We have received no letters from Mr. Dana very lately. If I do not forget, some have been received since you left us, which contained little more than a proof that he had not become sensible of the error which his preceding letter displayed.[2] Despatches from Mr. Jay, transmitted by Col. Livingston, have been lost to us by the capture of this gentleman by a privateer from New-York.[3] They were not however gained by the enemy. Col. Livingston is now here, but restrained by his parole from suggesting the contents of his despatches, or giving any other intelligence from that quarter.

I have written more fully in cypher to Mr. Randolph, on foreign subjects and some others, than time or prudence will permit me to repeat here. For what is omitted, I must therefore beg leave to refer you to him.[4]

The reasons which recommend an interference of the assembly in the case of the Flags, do not I confess occur to me. If the goods included in the capitulation of York were sold, and are to be paid for, it would seem that a mode of payment, which affords to Virginia a vent for her staple, and prevents the exportation of her specie, cannot be complained of by her.[5]

The enclosed gazette contains the several obscure and contradictory advices, of the action in the West Indies, which have of late agitated our hopes and fears. The acknowledged inferiority of the fleet of our ally, gives some credulity to the articles which are in favour of the enemy. Should the event however have been ever so disastrous, it can only affect the duration of the war. The issue of it is fixed by causes which are superior to every particular event. Every triumph of the enemy on the ocean is rather a new argument to all Europe in favour of our independence; and I am somewhat of Mr. Adams' opinion, that if America were to betray a disposition to relapse under the dominion of Great Britain, all the maritime powers would interpose to prevent it. The tyranny which they have experienced would render any alternation preferable to a reestablishment of the superiority of power which gave birth to it.

Notwithstanding the importance of the present crisis, the number of states in congress does not exceed eight, sometimes seven only, and most of these represented by only two members. The president is directed to write to the unrepresented states on the subject, and urge them to supply the deficiency.[6] I wish much for a reinforcement to the delegation of Virginia, and have pushed Mr. Randolph to undertake that service immediately. I calculate on your return so soon as your other undertakings will permit. In the present moment it is of consequence that every delegation should be tolerably full, as well as every state represented.

With great respect and regard, I am, dear sir, yours, &c.

J. Madison, Jr.

MS not found; reprinted from Richard Henry Lee, *Life of Arthur Lee, LL.D.*, 2 vols. (Boston: Wells and Lilly, 1829), 2:328–30, where it is mistakenly dated "1778."

[1] See Madison, *Papers* (Hutchinson), 4:244–45.

[2] For Francis Dana's "error," see Madison to Edmund Randolph, April 23, 1782, note 6.

[3] Col. Henry Brockholst Livingston, John Jay's brother-in-law and secretary, had been captured on his return from Spain. See these *Letters*, 11:354, 14:80.

[4] See the preceding entry, note 11.

[5] For this issue, see Madison to Edmund Randolph, May 29, note 4.

[6] See John Hanson to the States, this date.

John Morin Scott to George Clinton

Sir, Philadelphia 28th May 1782.

. . . . if I do not receive it [*i.e.*, money for expenses] in a few days, I *must* return home, whether the State be represented or not. And yet it will give Me great Pain to leave the two important Businesses of the Grants and Cession unfinished. I only wait for a fuller House to move them. The Reports in both lie on the Table. The former, I have all the Reason in the World to hope, will be the last Effort in Congress, in favor of the Revolters, if it be rejected in a full House. The latter requires one equally full; because the States who are friendly in the other Case seem to be averse to making any Cession *to be at the disposition of Congress;* who, they say, ought not for obvious Reasons to have landed Property in their Power. Indeed, I am not sanguine about it. But as I Conceive it to be my Duty to contribute to the Executive of the Will of the Legislature, I shall do it in *due* Time *if not instructed otherwise.*[1]

MS not found; extract reprinted from Burnett, *Letters*, 6:356.

[1] Scott had also written to Clinton on May 27, discussing the enlistment of German prisoners of war and reporting that "This morning were read in Congress a Letter from Doctor Franklin of the 30th March, inclosing a Copy of one from Mr. Adams of the same Month." Ibid., 6:356n.2.

Virginia Delegates to Benjamin Harrison

Sr Philadelphia May 28th 178[2]

The state of News as it respects the action of the French and English Fleets in the West Indies your Excelly. will be informed of by the enclosed Papers, we shall however keep the letter open to add any thing which may occur to throw a light on that important & Interesting event, concerning which, we have been under such continued anxiety this fortnight Past.

The letters which came enclosed in your Excellys by last post after having perused attentively, {we deliverd to the minister of France and Mister R. Morris}.[1] No Answer or Comment on the Contents of either has yet been addressd or communicated to us. {Nor have we yet urged to either of them an explanation of the subject of them}.[2]

We shall endeavor {to investigate the motive} and {cause} of the {alteration} you mention {of the disposition and payment} of the {stores}.

We think it proper to acquaint your Excellency that a letter {from Dr. Franklin to Mister R. Morris} read in Congress,[2] leads to this knowledge tho not completely. It appears therefrom that {a loan for} the {current year} has been {granted to} the {United States} of —— {million of livres} and that {a deduction has been made} of {seven hundred thousand livres therefrom on account} of {Virginia for stores purchased} for that {state} by the {ministry of France} whereby the {state of Virginia becomes debtor to the United States}. This appears to us at present to be {the act of the ministry in France} but from what motive or by whose instigation is not clear to us. When it was {determined to solicit that loan}, we can only find {that Congress authorized} the {minister of the war department}, of {foreign affairs and minister of finance} to explain {to the minister of France the absolute} necessity {of such a supply}.

We hinted to your Excellency in our last,[3] {the distressed and critical state} of {the financees} and the measures which wd. probably be persued by Congress {in hopes of exciting the states} to all {the activity} and {energi} they are capable of in that line. We have not been mistaken in our Conjecture, and congress has deemd speedy {exertions} of {such consequence} to the {welfare of the general cause} that altho there is but {a bare representation left}, they have come to a resolution {to dispatch two} of {their members} to the {southern and two to the eastern states charged} with an {explanation} to the Executives and {such of the [legislature]s} as {may be in session of the true state of our finances} and the {causes leading thereto}. They have also ordered {an exact state} of the {loans, subsidies} and {monies received} to be {laid before them by the minister of finance} together {with an account} of {their application}. Mr. {Rutledge and} Mr. {Clymore are deputed to the south states[4] Mister Root and} Mr. {Montgomery to the northward} the latter {set off tomorrow}. Letters from Dr. Franklin so late as the 30th of March last[5] inform us that England is weary of the War—that she *appears* to want to get out of it if she knew how, that she is nevertheless making {useless attempts} to {withdraw us from France by secret applications to our ministers} in {Europe} at the same time that {she} is {playing the same game by her commissioner here} and {by secret} tho' {f}rui{tless applications to the court of France} accompanied by great and {advantageious offers to that court} which we are informd from {another quarter France has noble rejected and} has {categorically answerd} by declaring {she will accept no offer but the independence of the United States.} Dr. Franklin also informs us that a Bill is on its passage through the British House of Commons for the Exchange of American Prisoners. It appears that an emissary has been sent to Mr. Adams at the Hague from the British Ministry to sound him relative to peace and to know whether he had any powers from Congress to conclude a truce. A conference was held between the Emissary and him in the Presence of Mr. Adams Secry.,[6] and terminated as soon as he received information that there were powers lodged in Europe for treating of a Peace which he Said no person in England could ascertain, untill then, altho. he confessd it had been announced in all the Papers of Europe. We have related these facts to you but as many of them are secret in their Nature we trust they will not be divulged, but in such proportion as they may be usefull in opening the Eyes of our Constituents to the Chicane and Duplicity of our Enemy and the firmness and good faith of our Ally—and, as they may stimulate all ranks to Energetic exertion to obtain the desired object, of an honorable peace in Conjunction with our Illustrious Ally, and Independence. Mr. Adams letter to Dr. Franklin of the 26th of March also informs him that ten or eleven of the Cities of Holland, have declared for our independence and that he expects that Province, will determine the next day to admit him to an Audience. He says the Picture of England drawn by the above mentiond Emissary from G Britain is *for them* a Gloomy one. We have at length obtaind and herewith send you a copy of the Pensylvania Act of Assembly you some time ago requested to have.[7]

We are with the Greatest respect Yr. Excys. most obedt serts.

J Madison Jr
Theok. Bland Jr

RC (Vi: Continental Congress Papers). Written by Bland and signed by Bland and Madison.

[1] Words in braces in this text were written by Bland in cipher. For the governor's letters to the chevalier de La Luzerne and Robert Morris, see Bland to St. George Tucker, May 20, 1782, note 2.

[2] See Madison to Joseph Jones, this date, note 3.

[3] Not found, but probably a letter of May 21.

[4] See Committee of Congress to Harrison and John Dickinson's Notes, May 31, 1782.

[5] See John Lowell to Samuel Adams, this date, note 3.

[6] That is, John Thaxter, Jr.

[7] For the act of the Pennsylvania assembly concerning the Virginia-Pennsylvania dispute over the territory in the Monongahela and Youghiogheny river valleys beyond the western terminus of the Mason-Dixon line, see Madison, *Papers* (Hutchinson), 4:184–86, 215n.2, 287n.27. See also Virginia Delegates to Harrison, May 7, 1782, note 2.

James Madison to Edmund Randolph

Dear Sir Philada. May 29th. 1782.

The inclosed letter[1] was put into my hands several weeks ago. As I found by looking into it that it related to a subject decided on in the case of Col. Carrington,[2] and which wd. be communicated by him to Majr. Pierce, I thought is unnecessary to transmit it by the Post. This is the first private conveyance that has offered.

I wrote to you yesterday morning by the post fully & in Cypher.[3] As I am told however the Bearer will probably be in Richmond before the Post, it may not be amiss to repeat to you that we have heard nothing from Carlton since our refusal of the passport to his Secy. and that we have authentic information from Europe that insidious attempts have been made both on Dr. Franklin & Mr. Adams, by British Emissaries, as well as tempting overtures employed to divide our Ally from us. These Machinations have served no other end than to expose the meanness & impotence of our Enemy, and to supply fresh proofs of the indissoluble nature of the Alliance. Mr. Adams begins to advance with considerable speed towards the object of his Mission in Holland.

The Action in the West Indies is still wrapt up in darkness. The inclosed paper contains a specimen of the obscure & contradictory advices which have alternately excited our hopes & our apprehensions.

A Copy of sundry resolutions of the House of Delegates touching the exportation of Tobacco in the Flags, was laid before Congress Yesterday by the Superintendt of Finance, & referred to a Committee.[4] On a review of the Doctrine of the 9th Art. of the Confederation I believe the right of the State to prohibit in the present case the exportation of her produce can not be controverted. The States seem to have reserved at least a right to subject foreigners to the same imposts & prohibitions as their own Citizens; and the Citizens of Virga. are at present prohibited from such an exportation as is granted in favor of the B. Merchants. This is a very interesting point and unless the division line between the Authority of Congress & the States be properly ascertained, every foreign treaty may be a source of internal as well as foreign controversy. You may call to mind one now in negotiation which may be affected by the construction of this clause in the Confederation. Congress have no authority to enter into any Convention with a friendly power which would abridge such a right. They cannot have a greater authority with respect to a Hostile power. On the other side it is equally clear that the State has no authority to grant flags for the exportation of its produce to the Enemy. Armed Vessels wd. not respect them, nor would they be more respected in the Courts of Admiralty. Unless

best copy available

Congress & the State therefore act in Concert no Tobacco can be remitted to N.Y. and a further drain of Specie must ensue. When the matter was first opened in Congress the impression was unfavorable to the right of the State, and pretty free strictures were likely to be made on its opposition to the Constitutional power of Congress. It became necessary therefore to recur to the law & the testimony which produced an acquiescence in the contrary doctrine. Their sentiments however with regard to the policy & consistency of the Resolutions are very different. The last Resolution in particular Compared with the preliminary doctrines produces animadversions which I need not recite to you.[5] There are several reasons which make me regret much this variance between Congress & Virga. of which a material one is that a great Personage[6] will be touched by it since it originates in his Act. & since in a conference between a Committee, him, & the Superintt. He concurred in the expediency of granting the passports. Gillon is just arrived here with five sail of the Havannah fleet, I have not yet heard whether he brings news or not.

Adieu

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:297–98.

[1] Not identified.

[2] For Congress' rejection of Lt. Col. Edward Carrington's application for command of the 4th Continental Regiment of Artillery, see ibid., pp. 165–68, 183.

[3] For which, see Madison to Joseph Jones, May 28, note 11.

[4] The resolutions of the Virginia assembly that were read in Congress on May 28 represented an attempt by the state to nullify article 9 of the capitulation agreement signed at Yorktown, wherein the New York merchants and traders who had accompanied Cornwallis to Virginia were permitted to sell their goods for specie or for Virginia tobacco which could then be shipped to New York under flags of truce. In March Robert Morris had negotiated a contract with the traders, represented by George Eddy, for the shipment of a specified amount of tobacco under congressional passport. It was this authority that the Virginia government specifically challenged on May 20 by refusing the British flag-of-truce ships, *New York* and *Fame*, access to Virginia ports on the grounds that article 9 violated the January 1782 congressional resolve recommending laws for the confiscation of British manufactures as well as Virginia laws forbidding trade with the enemy. For the background of this controversy and Morris' May 28 letter to Congress enclosing the Virginia resolves, see Madison, *Papers* (Hutchinson), 4:244–51, 253–54, 263–67; Morris, *Papers* (Ferguson), 3:208–10, 4:404–7, 554–56, 5:272–75; and Charles Thomson to Daniel Clark, May 3 1782. For the report of the committee assigned to consider the resolves and the steps taken to convince the Virginia assembly to honor the Eddy agreement, see the following entry.

[5] In its concluding resolution the Virginia assembly, despite its position on the Eddy contract, had ratified a second contract secured by Virginia agent David Ross for tobacco due for goods purchased, with Washington's approval, for the army. See PCC, item 75, fols. 367–68; and Morris, *Papers* (Ferguson), 3:208–10.

[6] That is, the commander-in-chief.

Committee of Congress to Benjamin Harrison

Sir, Philadelphia May 31st. 1782.

Some Resolves of the House of Delegates of Virginia, relative to two Vessells which went to that State with Continental Passports, for carrying Tobacco, from thence, to New-York, having been laid before Congress, & they having directed Us to proceed to Virginia, to make some confidential Communications to your Excellency & the Legislature, We are also authorised to make such an Explanation of the Matter which those Resolves respect, as may be necessary.[1] We therefore think proper to inform your Excellency, that We shall set off, To Morrow for Richmond, on the Business of our Mission, in Hopes that all further Steps, respecting these Vessells may be suspended, & that the Legislature of that State will not adjourn, untill our Arrival which shall be as soon as Circumstances will admit.

We have the Honour to be with great Respect, Sir, Yr. most obed. Servts.

J. Rutledge

Geo Clymer

RC (CSmH: HM 39006). Written by John Rutledge and signed by Rutledge and George Clymer.

[1] The Virginia resolves "relative to two Vessels which went to that State with Continental Passports for carrying Tobacco" had been referred on May 28 to a committee consisting of John Rutledge, William Ellery, and John Lowell. The committee's report, written by Rutledge and recommending that "the members who are to repair to Virginia" respond in person to Virginia's concerns over the export of tobacco from the state under Continental passport, was adopted the following day. See *JCC*, 22:309–10; PCC, item 20, 2:267–70, item 186, fol. 31; the preceding entry, note 4; and the following entry.

For Rutledge's success in convincing the Virginia Assembly of the necessity of permiting the export of this tobacco to fulfill Continental commitments, see Edmund Randolph's report on the episode to James Madison in Madison, *Papers* (Hutchinson), 4:340–41.

John Dickinson's Notes of a Conference with John Rutledge and George Clymer

May 31st 1782[1]

Completing supplies of Men & Money. Distinction of Taxes. See Pennsa. Law—a[fore]said Law imposing the whole of our Quota.[2]

1st. Only 6100[3] Dollars of the 8 millions paid in—& all that sum by one State: New Jersey

2d. All the Money borrd. in Europe amounting in the whole from the Commencement of the War to 29 millions of Livres, including the Dutch Loan of 10 millions, & the French Loan this Year of 6 millions, is anticipated—She has borrd. for the first time in the present War seventy millions—can lend no more.

3d. Mr. Morris the Financier is in advance & under Acceptance nearly Due for 500,000 Dollars more than what recd. of the Tax as called for by Congress.

4d. The monthly subsistance of the Troops & of prisoners of War amounts to 100,000 Dollars at present, & encreases as the army encreases.

5th. To enable the army to take the Field, 500,000 Dollars will be requisite.

6th. While Taxes in specific supplies were furnished the Price of Rations amounted to half a Dollar each—now to 9d-10d to the moving army.[4]

7th. On the Financiers being enabled by the States to fulfill his present Engagements depends all the future Credit of his Office, & the Foundation of the Benefits to be derived from it to The United States.

The Gentlemen represented, that it appears from the Returns of the Secretary at War—to April last—that

The Establishment of the Delaware Line 679 men—whereof
in the Field only— 190
Deficiency 489

France insists on vigorous Exertions on our part—

Negociations by last Ministry with French Court & Dr. F[ranklin] calculated to cause Disgust & Division.

France for the first Time this War, has borrowed this Year 70 millions of Livres.

Other Business
  Vessel—Money borrowed to support the Honor of the State
    Her Size
  Revolt—Want of necessaries even arms
  Address

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson and endorsed by him: "Conference with Messrs. Rutledge & Clymer. May 31st. 1782."

[1] In response to an appeal from Robert Morris explaining that the states' "habitual Inattention" to Continental requisitions had reduced the country "to the Brink of Ruin," Congress on May 22 appointed two delegations to visit representatives of the various states to explain the crisis and "induce them to carry the requisitions of Congress into effect with the greatest despatch." See Morris, *Papers* (Ferguson), 5:202–5; and *JCC*, 22:289–90. For this purpose, George Clymer and John Rutledge were directed "to repair forthwith" to the states south of Pennsylvania (except South Carolina and Georgia), and Joseph Montgomery and Jesse Root were to undertake a similar mission to the states "to the eastward." The four were also instructed to confer before their departure with the superintendent of finance, the secretary at war, the secretary for foreign affairs, and with representatives of the state of Pennsylvania.

Montgomery and Root left Philadelphia on May 27; Clymer and Rutledge set off on their journey on June 2 after meeting with the Pennsylvania Council on May 25 and with President Dickinson of Delaware this day. Clymer and Rutledge submitted "a report of their proceedings" to Congress on June 27; Montgomery and Root returned to their seats on July 15 and presented their report on the 18th. *JCC*, 22:353, 386, 396–97.

[2] The cramped appearance of these first two lines suggests that Dickinson inserted them after he had written the date and the following lines. He also added the following note at the bottom of the page, set off distinctly from the seven numbered items, which may have been intended to complete the meaning of these two lines: "separation of Continental Taxes from others. Pensa. Law not quite adequate to the Requisition of Congress." The references to Pennsylvania are probably to be understood in the context of the meeting Clymer and Rutledge had already had with the Pennsylvania Council on May 25, for which see *JCC*, 22: 289–90; and *Pa. Council Minutes*, 13:291.

[3] Dickinson inserted "10,000" above the line at this point, but the choice of both figures is puzzling inasmuch as Robert Morris, in conveying this information to Congress on May 17, actually reported the figure "five thousand five hundred Dollars." Morris, *Papers* (Ferguson), 5:203.

[4] Contracts for rations for "the moving army" recently negotiated by Superintendent Robert Morris were expressed in terms of pence of Pennsylvania currency, each of which at this time was the equivalent of 1/90 of a Spanish dollar. See *ibid.*, 4:506–9, 530n.1.

Arthur Middleton to Charles Cotesworth Pinckney

[May ? 1782][1]

I have shewn C.P. your Letter. I have frqently given him my opinion as far as Decency [will?] permit of the propriety of his coming home, & endeavouring to compensate for his Father's Conduct which has occasiond such disgust to his Countrymen but he seems to be taken up in a Scheme of going to Europe, which as he writes to you, I suppose he acquaints you of.

I am much obliged to you for supposing me capable of being serviceable any where, wish'd my power had been equal to my Inclinations. I have done and will do all I can but[2]

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] Middleton apparently prepared this draft after receiving a letter of April 24, 1782, from Pinckney urging the return to South Carolina of his cousin Charles Pinckney III (1757–1824)—the subject of Middleton's letter. Charles Cotesworth was especially concerned that "Cousin Charles" return to help salvage the reputation and estate of his father, Charles II (1732–82), who had been attacked in the assembly for seeking British protection in Charleston and who ultimately suffered a 12% amercement of his estates. See *SCHGM* 27 (April 1926): 60–63; and Frances L. Williams, *A Founding Family: the Pinckneys of South Carolina* (New York: Harcourt, Brace, Jovanovich, 1978), pp. 183–88.

[2] Thus in FC.

Arthur Middleton to Charles Cotesworth Pinckney

CCP. [May ? 1782][1]

Majr. B.[2] writes & encloses the papers—I send however yr. Journals wh[ich] may serve for waste paper, as I fear you are in Parts where neither Mess[engers?] nor Soldiers abound.

You have heard doubtless & felt the Promotion of O.W. Tho' convinced he is a worthy man, I oppos'd it as flow[in]g from a principle distructive of the Peace of, & disgustfull, to the Army. But we were overpower'd. I have too good an op[inio]n of yr. Sense & patriotism to Suppose that anything done by a particular body, who may reason & mean well from wrong grounds, can drive you from the Service. Some of us are very inclinable *to generalize* all the Colonels, & have several times attempted it, hitherto ineffectually, but we shall still prosecute the Intention.[3]

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] From Middleton's reference in his second paragraph to the promotion of "O.W." (Otho Holland Williams), which Congress authorized on May 9, it seems clear that this letter was written in late May or early June 1782. See *JCC*, 22:146, 248–53.

[2] Pierce Butler.

[3] At some time shortly after Ralph Izard returned to Philadelphia early in June, Middleton also jotted the following shorthand draft of another letter to Pinckney: "Your letter by Mr Izard gives me much pleasure and it would have been greater had it not told me you had been indisposed. Its value was much enhanced because it was in some way unexpected as you must have been looking for me sometime. Occurences here have not permitted me to perform my promise of seeing you so soon as I intended, and unless the Enemy has evacuated (which I confess I do not expect) it may be as well that I did not proceed before Mr. Izard's arrival, for I should not venture to come near you whilst there would be a problem of drawing the Enemy towards you by my presence." Middleton Papers, ScHi.

South Carolina Delegates to Unknown

Sir [May ? 1782][1]

The Delegates on Considering yr application met with a Difficulty, which appears to them insurmountable. They are of Opinion that Mr. Ross's acceptance of a Particular Order, whilst he refuses those drawn in favour of others, would have a partial & unjust Operation—& under such Circumstances were they to sign an Order in yr. favour, they would thereby give Countenance to such partiality & Injustice, & consequently Merit the Censure of those Gentlemen who have an equal Claim, & to whom Mr. Ross has positively refused payment of Orders drawn in their favour by the

Delegates. Although possess'd of the best Dispositions to afford you every possible Assistance, They find themselves under the disagreeable inability of gratifying your wishes, as well as their own, at present, but will still endeavour to accomplish them.

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] No evidence has been discovered to indicate when and to whom this letter was written, but Middleton and the other South Carolina delegates attending Congress on May 20, 1782 (David Ramsay and John Rutledge) are known to have executed and signed on that date five orders drawn on state agent John Ross to pay various sums on state account to the following persons: Capt. Thomas Gadsden $200 (Lebold Signers Collection, ICHi); Mrs. Christopher Gadsden $200 (*Paul C. Richards Autograph Catalog*, No. 227); Mr. James Heyward $200 (Statesmen Collection, NjHi); Mr. Andrew Thomson $200 (Henry A. Willard Collection, DLC); and Lt. Moore $100 (Sanderson Autograph Collection, CtY).

William Few to James Jackson

Dear Sir Philadelphia June 2d 1782

In order to curtail this Epistle I enclose you the latest news papers which contains all the domestic inteligence. Britain has changed her Ministry, and they it seems are disposed to change the system of the War in America, but we see no reason to believe that it is their intention to yield us our Independance or cease to exercise every means in their power to injure and distress us. Finding they cannot by force accomplish their diabolical designs they are now about trying the effect of artifice & Intrigue. An Emmissary has been sent by the British Minister to Mr Adams at the Hague requesting to know if any person from America was vested the power of negociating a seperate peace. About the same time a secret Agent was sent to the Court of Versailles, proposing A seperate peace with France and offering to give them up all their conquests in the West Indes and some advantages in the East Indes, the French Minister answered that any propositions for peace that did not contain the Independance of America was inadmissable.

Thus we see their nefarious schemes subverted and A Contrary effect flow from it, for it will tend more warmly to attack and unite France & America and increase that growing confidence between the two Nations.

Please to remember me to all enquiring Georgians and believe me to be with much esteem Your assured Friend. W Few

RC (PHi: Gratz Collection).

John Hanson to Philip Thomas

Dear Doct. Philadelphia June 2d. 1782

For intelligence I refer you to the inclosed papers. The Accounts they Contain of the battle between the two fleets in the West Indies, are upon the whole rather unfavourable; however we have Still Some room to doubt of the truth of it. No official Account has been yet received at N York and they are there as uneasy it is said respecting the matter as we are; had the Issue been so favourable to the British as has been represented, it is reasonable to suppose that a Communication of a matter of such vast importance, to their Commander in Chief, would not have been so long delayed. This with some other Circumstances, incline many to believe we Shall Shortly receive a quite different Account. For my part I am willing to hope for the best, but am fearful the french have received So much Damage in the Action, as will prevent the intended Attack on Jamaica for some time. You will see by the papers that the States General have Acknowledge our Independence, Should this be the Case the advantages Arising from it will more than ballance Any disadvantages that may result from Count de Grasse's Defeat, Should that have happened. Have not further to add at present, only to acquaint you little Cate and my self are now perfectly recovered, and your mother is much better than She has been Since She Came to Philadelphia, She is getting fat fast, we ride every day and intend to Continue doing so whenever the weather permits. Has Mr. P. paid for the Land. You will Send me all the money you Can—for a Debt Contracted on Acc't of A when he was in Town I must pay An interest of 20 per ct. from the 1st Instant. We join in Love to you and the Children. Hope they were well when you wrote last tho' you did not mention them. My Compliments to Mr & Mrs Price and all friends. Farewell, J H

[*P.S.*] I wrote you by the last post Acknowledgeing the rect of your letter by Colo Nicholls with the Cash.

RC (MdHi: Hanson Letters).

John Hanson to John Hall

My Dear sir Philadelphia June 4th 1782

I inclose you the two last papers—the Accounts given of the battle in west Indias are upon the whole rather unfavourable yet there are some Circumstances that render their Authenticity some what Doubtful. No official Account is yet come to hand at New York and it is reasonable to suppose if their Account be true that a Communication of a matter of Such Importance, to their Commander in Chief here would not have been so long delayed. There are other favourable Circumstances and I hope for the best, but am afraid the french have received so much damage in the Action, as will prevent the intended Attack on Jamaica at least for a time. An embarkation of Troops at New York is talked of, and a number of Transports it is said are going from thence to take of the Garrison at Charles Town. We hear nothing from Sir Guy. I very Sincerely wish you may Adopt the five per Ct Duty in the manner recommended by Congress, because I think an impost on all imported goods is a mode of Taxation the easiest that can be proposed. The Merchants in the first Instance pay, the people insensibly refund, every man pays in proportion to what he Chuses to Consume. The Extravagant man pays for his folly and the foreigners And strangers Among us are made to Contribute.

I sincerely wish you health and happiness, being my Dear sir, your friend & most humble Servt. John Hanson

RC (MdHi: Gilmor Collection).

John Hanson to Thomas Sim Lee

My Dear sir Philadelphia June 4h 1782

I have not been honored with a line from you for a long time. Your Excellency was so Kind as to advise me to draw in red money the ballance that might be due me from the state for former Allowances in Consequence of which I requested you would draw four hundred pounds on Account, which your Excellency was so obliging as to write me you would do and Keep the money for me till I Called for it. Should be glad to Know if you have received it.

It is said an embarkation of Troops is taking place at New York, and a number of Transports are ready to Sail for Charles Town to take off the Garrison there. Some suppose these Troops are destined for Hallifax and Quebek, while others think it more probable that they are intended for the West Indies. I fear the French fleet have been so much damaged in the late Action that they will not be in a Condition Shortly to make the Attack, in Conjunction with the Spaniards, as was intended, and I fear too that if the Issue of the Action Should turn out as has been represented we Shall be deprived of their asstance here as we had reason to expect towards the Hurrican months, but many people Still descredit the Accounts we have in the papers, no official Account of that Engagement having yet been received at New York, a Communication of which was it true it is probable would have been made to their Commander in Chief as soon as possible. The Coach maker tired in waiting So long for his money has desposed of the Carriage he made for Mr Worthington but says he will have another finishd in a few days.

I have the honor to be with perfect Esteem and regard, Your Excellencys most hble servt, John Hanson

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

John Lowell to Rebecca Lowell

Philadelphia June 4th. 1782

You have gratified me in the highest Degree my Dearest Girl by the Letter which I received yesterday by the Post, the Anxiety which I have been suffering ever since I received Mr. Jackson's Letters has in some Degree abated tho' I confess it is not altogether removed for by Mr. Jacksons 2d Letter dated only two Days before yours he says Mrs. L. & your Family are *as* well as when I wrote you last, now as I weigh each Word & even attend to the Manner in which they are placed, I can't be perfectly happy, while I find you were very sick at the writing of the first Letter, that two Days before yours, were only *as* well as when you were very sick, & two Days after quite well, I fear you flatter me. I beg you not to deceive me. I dare not trust the Care of your Health unless when it is very good to a[illegible]ther attention than my own & I will fly on the first Intimation to support & comfort you. Drop me one Line by every Post at least: you cannot conceive how much Happiness you will bestow. I correct myself, conceive you may by what I know you experience on a similar Occasion. Brother Russell writes me that Bror Jimmy is at St. Thomass. Have any of you Letters from him, how is He, what are his Views? I am much interested in his Prosperity & my late Anxiety about his Affairs & the Knowledge which was communicated to me of them, make me sollicitous to hear. Is his Wife with him? I have again received much Civility in this City but as I begin to be an old Story, my Invitation to dine &c. grow less frequent for which I am thankfull as I wish to avoid Temptations to Intemperance. I have not however eat one Supper since I have been here, nor have I had one Sympton of Asthma, G. or G—— but am perfectly well. I generally rise before six, breakfast before eight, go to Congress at 11, dine at 3, 4, or 5, & go to Bed about ten; I have not once passed eleven. The Room where we set for Business is the coolest Place in Town & is so constructed as not only to catch the passing Air but even to create it, it is a large high Room with two Chimnies, 4 large Windows—on each of two Sides & a Door on each of the other, be happy therefore my dearest Love & entertain no Doubt but at farthest on the Saturday Evening before August Court you will find me by your Side; I shall be preserved & returned in Health & Safety not for my own Deserts but to reward so much Virtue & Goodness. How happy do I esteem the Situation of our dear Little Flock in having such an Example, I constantly pray for its Continuance, before this reaches you I hope you will have plenty of Peas & Fruit, or I should waive the mention of them. We have had Cherries, Strawberries & Peas in abundance this Fortnight. I do not think the Summer Market here exceeds ours tho it is good enough for me. Is Mr. Bramfield settled in Town with his Family. My Love to them if they are. Duty, Love, Respect, Compliments as they are respectively due to all Friends, impress an ardent Kiss on each of the Children in the Name of Papa & imagine it is impressed elsewhere. Adieu, may Heaven protect you. Your affte, J Lowell[1]

RC (MH–H: bMS Am 1659).

[1] Lowell wrote another lengthy personal letter to his wife on June 5, which is also in bMS Am 1659, MH–H.

James Madison to Edmund Randolph

Dear Sir Philada. June 4th. 1782.

I found no difficulty in the bill remitted by Mr. F Webb. As it was not made payable to you, even the forms of business did not require your endorsement.[1]

According to your request I send an authenticated extract from the Journals of the vote of Congress on the clause which interdicts British Manufactures.[2] It has however been for some time in print, and will probably have been at Richmond before you receive the manuscript copy. The arguments urged against the measure appear to me in the same light in which you describe them. The policy of G.B. in the capture of St. Eustatius has been constantly reprobated by some of her wisest Statesmen. But whatever her policy might at that period be, it is manifest that a very different one is now pursued. British Goods are issued from the Enemy's lines with greater industry than they have ever been, and as is universally believed, with the knowledge, if not at the instigation of those in power. Indeed they would counteract their new System in doing otherwise. The sense of the Eastern States will appear from the ays & nos on the question. Mr. Adams in his last despatches ascribes much of the late pacific symtoms in the British Nation, and of the facilities which begin to attend his mission in Holland, to our proscription of British Merchandise.

You have not sufficiently designated the papers from {Mr R.

Morris}[3] from which you wish an extract. I do not recollect nor can I find any letter which contains a {state of the finances} except {his circular letters} which may be found either among the legislative or Executive Archives. If you should be disappointed in these researches, I will on a renewal of your demands, renew my researches. My charity I own can not {invent an excuse for [the] prepense malice} with which the {character and services of this gentleman are murdered}.[4] I am persuaded that {he accepted his office} from {motives which were honourable and patriotic}. I have seen {no proof of misfeasance}. I have heard of many {charges} which {were palpably erroneous}. I have known others somewhat {suspicious vanish on examination}. Every {member in Congress} must be sensible of the {benefit} which has {accrued to the public from his administration}. No intelligent man {out of Congress can be altogether in}sensible {of it}. The {Court of France has} testified {its satisfaction at his appointment} which I really believe {lessened its} repugnance to {lend us money}. These considerations will make me cautious in lending an ear to the suggestions even of the impartial; to those of {known and vindictive enemys} very {incredulous}. The same fidelity to the public interest which obliges those who are its appointed guardians, to pursue with every rigor a {perfidious or dishonest servant of the public} requires {them} to confront the imputations {of malice against the good and faithful one}. I have in the conduct of {my colleague here[5] a sure index of the sentiments and objects of one of my colleagues who is absent[6] relative to the department of finance}.

The Chevr. de la Luzerne tells us he has written to the Govr. on the subject of the transaction between them, and has no doubt that the difficulties which attended it will be removed.[7]

A Letter from Mr. Adams of an older date but recd. since the one mentioned in my last, confirms the article relating to Friesland in the Letter from Mr. Barkley.[8] There are some opinions & circumstances however stated in this letter which its priority will scarcely reconcile with those mentioned in the other. At the date of it which was the 11th of March he was not sanguine as to the unanimity of Holland, and less so as to an early concurrence of the other Provinces. What is singular is that his apprehensions with respect to the first Province were drawn from the conduct of Amsterdam, which has heretofore been the cornerstone of all his expectations. This revolution in the City is the effect he says of a revolution in the Regency.

The Deputies to {the s. states} set off on Sunday last.[9] Congress on a report of the Committee on the Resolutions of the House of Delegates, have authorized them to make such explanations relative to the {flags} as they shall judge expedient.[10] In a letter which I wrote by a private hand since the last post day, I have been pretty full as to the sentiments of Congress with regard to the Resolutions. I wish to hear whether this extra letter reaches you safe or not.[11]

Your favor of the 21st[12] came in better season than the preceding one. In the argument relating to the Flags you might have added to the passports for Salt, a case still more directly in point. A Letter from Govr. Jefferson of the 7th of Feby. 81 refers it to the Delegates to obtain permission to send provisions to N.Y. instead of hard money for the subsistance of the Prisoners.[13] The Enemy at that day refused to accept Tobo. but were willing to accept these more necessary articles. Congress refused to give passports for the latter. It may be sd. indeed that this was prior to the ratification of the federal Articles. But it will at least justify Congress & the Viga. Delegates in particular in presuming on the concurrence of the State in the measure in question. As to the simple right of granting flags it is impossible to shake it on any principle. It is a lesser power evidently involved in the major one of making peace. A flag is a partial truce as a truce is a temporary peace. I recollect that when the Committee consulted Genl. Washington & the Superintendt.[14] it was unanimously supposed that a remittance of Tobo. to N. York wd. be less obnoxious to our allies than of the identical money recd. from their generous friendship.

The resolutions of the Assembly agst. insidious negociations are very apropos.[15] I hope all the Legislatures now sitting will enter into similar ones spontaneously & unanimously. It will always be best for Congress to appear to follow rather [*than*] lead the sentiments of their constituents, & particularly so in the present instance. We immediately sent a copy of them to {Minister of France}.

RC (DLC: Madison Papers). In Madison's hand, though not signed. Madison, *Papers* (Hutchinson), 4:312–14.

[1] For the bill carried to Philadelphia by Foster Webb, probably in connection with the settlement of an account for expenses Randolph had incurred while a delegate at Congress, see ibid., pp. 194–95, 246.

[2] In his letter of May 16 (ibid., pp. 246–48), Randolph had apparently requested a copy of congressional votes on his committee's January 2 resolution calling for the seizure of British manufactures on land. Since Secretary Thomson did not record that vote in his journals, Madison probably sent an "authenticated extract" of the vote recorded on December 4, 1781, pertaining to the capture of British manufactures within three leagues of the U. S. coast. He mentions at the end of the paragraph, for example, a February 14 letter from John Adams concerning Dutch approval of Congress' "proscription of British Merchandise" which most likely refers to the December 4 resolve. See *JCC*, 21:1152, 22:3; PCC, item 84, 3:466–69; and Wharton, *Diplomatic Correspondence*, 5:162–63.

[3] Words in braces in this text were written by Madison in cipher.

[4] Madison is referring to the enmity of the Lee family toward Robert Morris, for which see Madison, *Papers* (Hutchinson), 4:250n.17.

[5] That is, Theodorick Bland.

[6] Arthur Lee.

[7] See Theodorick Bland to St. George Tucker, May 20, note 2; and Virginia Delegates to Harrison, this date, note 1.

[8] For John Adams' March 11 letter confirming Thomas Barclay's news concerning Friesland's recognition of American independence, which had been read in Congress on May 31 (four days after his letter of March 26), see PCC, item 84, 4:21–23, item 185, 3:29, item 186, fol. 30; John Lowell to Samuel Adams, May 28, note 3, and Madison to Joseph Jones, May 28, 1782, notes 10 and 11.

[9] See John Dickinson's Notes, May 31, note 1.

[10] See Committee of Congress to Benjamin Harrison, May 31, note.

[11] See Madison to Randolph, May 29, note 4; and Madison, *Papers* (Hutchinson), 4:339–40.

[12] Ibid., pp. 263–65.

[13] See Jefferson, *Papers* (Boyd), 4:550, 655–57.

[14] For the February 6 conference of Madison's committee with Washington and Robert Morris, see Morris, *Papers* (Ferguson), 4:143–44, 167–68.

[15] For the Virginia assembly's May 24–25 instructions to its delegates in Congress, see Madison, *Papers* (Hutchinson), 4:271–72.

James Madison to Edmund Randolph

[June 4? 1782][1]

The News from the W Indies is not yet decided to the conviction of every mind. Mine is unable to withstand the evidence derived from the Jamaica Head in the inclosed Gazettes of Saturday last. [The pape?]r of this morning I inclose to Mr. Jones, with whom you will interchange a perusal.[2] In case he sd not be at Richmond, you will open the letter addressed to him. I shall give him the same provisional authority over the one addressed to you. I fear however from your silence as to your return that he will not have occasion to exercise it. Mr. C. Griffin[3] who got hither on Sunday gives me some hopes on this subject.

Genl Washington has transmitted to Congress sundry informations he has recd. of preparations at N. Y. for expediting from thence, a considerable number of Ships. Whether they are to convey troops & whither, or to bring off troops from other places is uncertain. He has also transmitted to Congress an answer to him from Genl Carlton on a demand made at the instance of the Legislature of S. Carolina of a retransportation of the exiles at the expence of the King of G. B.[4] This demand was instituted not executed during the Command of Clinton, from whom an imperious refusal was calculated upon. In pursuance of the views of the new System, his successor weeps over the misfortunes of the exiles, and in the most soothing language that cd be framed, engages to comply fully with the application. This incident at once mortifies our pride & summons our vigilance. We have no[thin]g further from Carlton on the main point.

The communication expected in my last from M. of F. has been recd. and afforded a very seasonable occasion which was improved, of renewing the assurances suited to the present crisis.

I have a letter of the 15 of March from Mazzei[5] in which he complains much of being neglected, dilates on the prospect & effects of a Turkish war & refers me to some of his patriotic publications transmitted to the Govr.

Mr. Webb will set off tomorrow or next day.[6] By him I will try to send the Journals.

RC (DLC: Madison Papers). In the hand of James Madison, though not signed. Madison, *Papers* (Hutchinson), 4:314–15.

[1] This undated sheet of paper, which bears no salutation or address, is probably part of a second letter to Randolph written this day, for which see notes 2 and 6 below. Although the editors of the Madison *Papers* printed it as a postscript to the preceding entry, it is written on larger paper and bears different fold marks.

[2] Although Madison's letter to Joseph Jones has not been found, Jones acknowledged "Your favor of the 4th instant and the packet of Newspapers by Mr. Webb" in his June 25 reply, for which see ibid., pp. 365–66.

[3] Former delegate Cyrus Griffin, now judge of the Continental court of appeals, who apparently reported that Randolph might soon return to Congress.

[4] For the "retransportation of the [*Charleston*] exiles," see South Carolina Delegates to John Mathews, May 6, 1782, note 5; and the following entry.

[5] For Philip Mazzei's letter, which was actually dated March 13, see Madison, *Papers* (Hutchinson), 4:93–99.

[6] See Madison to Randolph, June 6.

John Morin Scott to George Washington

Sir Philadelphia June-4th. 1782

The immediate departure of the Post leaves Me barely the Opportunity of a few Moments to trouble your Excellency on a Subject of a delicate Nature. Your Letter to the Secretary at War of the 28th last contains a passage, which he at your Request has laid before Congress, "that such Measures may be taken thereon as they shall think proper to direct." The passage to which I allude, is that which respects those Inhabitants of the State of South Carolina who in defiance of good Faith, & breach of the Capitulation of Charle's town, have been exiled from their Habitations by the Enemy. This passage together with a Copy of Sir Guy Carlton's Letter in answer to yours of the 21st last on that subject have been referred to a Committee, of which I have the Honor to be the Chairman, to report thereon.[1] The committee are ignorant on what Grounds You placed your Application to the British Commander in Chief; and are the more anxious for information from your Excellency from a due attention to certain strokes in the passage alluded to, expressive of your Feelings on this delicate Subject. They will therefore be much obliged by a Copy of your application to the British Commander in Chief in Behalf of the injured Capitulants, should such a Communication render itself proper in your Judgment, that they may be enabled to report on the fullest Information, concerning a Matter which so nearly concerns the Honor of these united States.

I have the Honor to be, with the greatest respect, Your Excellency's most obedient humble Servant, Jno. Morin Scott

RC (DLC: Washington Papers).

[1] Secretary at War Benjamin Lincoln had referred Washington's May 28 letter and related documents to Congress in a June 3 letter that was referred to a committee chaired by Scott this day. Washington sent a further communication with Congress about the displaced South Carolinians on June 6, which was not officially referred to Scott's committee until June 13.

Congress considered the committee's report on June 14 and directed the secretary at war to provide a list of the displaced South Carolinians and their ultimate destinations to Washington for transmittal to Sir Guy Carleton, the British commander at New York. See *JCC*, 22:315n.1, 329n.2, 330–32; PCC, item 149, 1:367–68, item 152, 10:581–83; Washington, *Writings* (Fitzpatrick), 24:270, 295–97; and South Carolina Delegates to John Mathews, May, 6, 1782, note 5.

Charles Thomson to Robert Morris

Sir Secy's Office June 4th. 1782.

The reading of the letter from Mr. Deane which with Governor Trumbulls answer you this day transmitted to Congress,[1] brought to mind, that one of the Vessels of War belonging to the United States is called the Deane. As the person after whom she was called has by his perfidy and defection forfeited all title to every mark of honor or respect, I am Authorized to inform you that although Congress think it beneath their dignity to Pass an Express resolution for changing the Name, yet another name will be more Agreeable to them, & that you will be justified in making the change.[2]

I am &c C T

LB (DNA: item 18). Addressed "To the Supt. of Finance," but actually directed to Morris in his capacity as Agent of Marine.

[1] For Morris' letter to Congress, transmitting a letter from Silas Deane to Gov. Jonathan Trumbull warning against trusting in France and Trumbull's response challenging Deane's criticisms of the French alliance, see Morris, *Papers* (Ferguson), 5:316; and PCC item 137, 1:529–42.

[2] At the foot of this text in his letterbook, Secretary Thomson penned the following account of the congressional response to Deane's letter, which explains why there is no mention of this incident in the journals. "N.B. After the letter from Deane to Govr. Trumbull & the Governor's Answer were read Mr Lowell a Delegate from the State of Massachusetts, Observed that a Vessel of war belonging to the United States was called Deane; that the person after whom it had been named had acted such a part that it was in his opinion improper than any vessel of the United States should bear his name, whereupon the sense of the house was taken and the Secretary was directed to intimate to Mr. R Morris Agent of Marine that it will be proper to change the name of the Deane Frigate." PCC, item 18, fols. 26–27.

The Continental frigate *Deane* was renamed *The Hague* about the end of July. Morris, *Papers* (Ferguson), 6:29n, 103n.31, 154–55.

Evidence of the congressional response to Deane's letter is also preserved in the following draft motion that Arthur Middleton probably offered in the aftermath of this debate.

"Motion, That the letter from Mr. Deane to Govr. Trumbull be returned to the Secretary of Foreign Affairs, with Direction to transmit the same to the Minister of the U.S. at the Court of Versailles, that it may be communicated to the French Ministry for the Government of their Conduct towards Mr. Deane in Case he should visit France." Middleton Papers, ScHi.

Although there is no mention in the journals of Middleton's motion, it undoubtedly met with the delegates' approval, as Secretary Robert R. Livingston sent Benjamin Franklin a copy of Deane's letter with his June 27 dispatch to the U. S. minister at Paris and provided a copy of it for the perusal of La Luzerne as well. See Wharton, *Diplomatic Correspondence*, 5:481–82, 488, 501–2.

Virginia Delegates to Benjamin Harrison

Sr. Philadelphia June 4th 1782

Our last of the 28th Ultimo informed your Excelly. fully of the State of News at this place. Since which nothing material has happend, except what the enclosed News Paper contains. There yet remains some doubt relative to the event of the Action of the two fleets in the West Indies. Accounts from Martinique by different Channels and of a late date, appearing to render it dubious, whether Rodneys letter is spurious or real, we confess however, we have no expectation of its being the former; Yet there is great room to believe that the remainder of the French fleet will form a Junction with the Spanish at Cape François and that the Combined fleets will have a decided Superiority in the West Indies, which will enable them to proceed with the Expedition against Jamaica.

We find—in a Report, the Superintendt. of Finance has made to Congress—the Substance of his letter to you on the Subject of Stores, and have since had a Communication with the minister of France on that Subject,[1] who, informs us he Answerd your letter, to him, relatively thereto, and he hopes satisfactorily, but requested us to acquaint your Excelly., "that the Misfortune which the Count de Guichens Convoy had met with, rendering it very difficult, for the Ministry to procure transports for the Supply of their own fleets and Armies and to bring out the Supplies orderd for the United states, he feard it would not be practicable to send out those which had been purchased for the State of Virginia in any short time." He gave us to Understand that the transfer of the Debt from the State of Virginia to the United States had been a Misunderstanding of the Ministry, or some of the Under offices, & that it would be revoked and accommodated to all parties. We think however it would not be imprudent in the State of Virginia (if they wish soon to have those Stores[)], to provide transports for them and to obtain the same

Convoy as those Vessels which are to bring out those belonging to the Un. States.

The Count de Beniousky having, renewd to us, an offer which has been made to Congress—and not accepted as will be seen by the Enclosed papers No. 1, 2, 3, 4, & 5[2]—We thought it a matter of too much Consequence not to transmit to your Excelly. which we have done, with copies of all the Papers, relative thereto, as above mentiond, which have been before Congress. It will rest with your Excelly. to consider the propriety of taking the Sense of the Legislature thereon. The terms offerd in the Paper No. 4 refers to those which have been made to Congress, which Yr. Excelly. will See in the Paper No. 1, and an explanation thereof in No. 2 after having been remarked upon by Genl. Washington. We have only to add on this Subject that the Gentleman who makes the offer does it as an *Individual.* That he is a Polish Nobleman and a near relation to the late Count Pulasky—That a part of the troops he offers, and many of the officers (as he informs us) are such as have followd his fortunes in the Partition of that Kingdom—That Banishd from his own Country he professes a desire to become (with his followers) a Citizen of some one of these United States that he has recommendations, from the French Ministry to their Minister here and has had his Countenance. The Rejection of his offer to Congress arose from a doubt in two or three of the States concerning the Propriety or policy of their being accepted by *Congress.* It is his desire that the offer made by him—if not accepted—may be kept as secret as possible, and that the answer thereto may be transmitted, through us, with all possible expedition—as—he will be under a necessity of departing for Europe in the Course of three or four Weeks from this date—either to put himself in a state to Execute his proposals, or to take other steps with his troops, which are now in the Imperial Service, and will shortly be at his own charge. His desire of Secrecy and the Expedition with which Mr. Webb informs us he will travel has induced us to prefer a Coneyance by that Gentn. to one by the Post on this occasion.

Since Writing the above Genl. Washington has informed Congress in a letter read yesterday, that he had received intelligence of some movements of the Enemy at New York which indicate a considerable embarkation, as upwards of 80 transports, under a strong Convoy had fallen down to the Narrows—in order as was supposed to take in a large body of troops—that the whole of the Regular troops had been reviewd—and a very large proportion of them were under Marching orders, for what purpose not known. We Submit to Yr. Excelly whether it would not be prudent, at least to be on our

Guard—notwithstanding the delusive appearances lately held out, at least—not to relax in any preparations for carrying on the War.

The last post brought us no letter from Yr. Excelly. with the most perfect respect we are Yr. Excellency's Most obedt. Humbe Serts

Theok. Bland Jr.

J. Madison Jr.

RC (Vi: Continental Congress Papers). Written by Bland and signed by Bland and Madison.

[1] See Theodorick Bland to St. George Tucker, May 20, 1782, note 2.

[2] For the enclosed papers concerning Maurice August Beniowski's proposal to form a legionary corps, see Madison, *Papers* (Hutchinson), 4:295–97, 300–302, 310n.7. See also these *Letters*, 13:469; and Eufronsina Dvoichenko-Markov, "Benjamin Franklin and Count M. A. Benyowski," *Proceedings of the American Philosophical Society* 99 (1955): 405–17.

Turbutt Wright to John Hall

Dear Sir. Phila. 4th June 1782.

I thank you for your favor by the last Post—my not having received it before Tuesday Noon must plead my Excuse for not writing you by the Return of the Post who was taken ill on the Road up, which obliged the Post Master to send after the Mail which did not arrive Time enough to give an Opportunity to answer Letters.

The Event of the Action between the two Fleets is yet as uncertain as ever, the Reports and written Accounts are so very contradictory that the Mind remains in a State of Indetermination. An Opinion formed on either side is immediately combated by Reasonings and Circumstances on the other almost equally strong, I have my Fears, and Hopes too, and there leave it to Time to settle the Matter.

Capt. Asgill of the Guards is the Officer on whom the Lott has fallen to die for the Sins of his Countrymen in the cruel and barbarous Murder of Capt. Huddy.[1] He came to this City last Wednesday under Guard, and on Thursday went on for Head Quarters where he will most certainly meet his Fate if the real Murderers of Huddy are not delivered up. He is quite a Youth, not more than 19 or 20 Years of Age, but seems to feel most sensibly the Weight of his Misfortunes. A British Officer was some Days a head of him, on his Way to N York to solicit Carleton in his favor. The Situation of this last must be very delicate. The Importunities of the Officers on the one Hand in favor of their Brother, and on the other the fear of disobliging the Refugees by delivering up *their Brother* Lippencot, must embarrass Sir Guy exceedingly. Clinton got out of this Difficulty very seasonably.

Not one Word from Sir Guy yet on the grand Business, tho' some Persons are in hourly Expectation of hearing from him. For my Part I have not the least Desire to have any Communications from the Gentleman, if any Propositions are to be made that America can listen to, the Way is open on the other side the Water, where there are persons properly authorized to treat in Conjunction with our Allies, to them let the Applications be made.

Are we to have no other Member of Congress sent in Addition to those who are here? Believe me it is necessary, and particularly so at this Time, to have a full Representation in Congress. Business of very great Importance may come upon the Carpet, which will require the Attendance of all the Delegates. At Present we have only eight States represented, and not more than two Members attending from any one, and for some Time past only seven States were attending; this Circumstance from the nature of our Constitution is productive of very great Delay, as no Motion can be carried into Effect without the concurrence of seven States at the least. Upon the Whole I find the Duty extremely heavy, and the Rewards light. I can't think of remaining long in this situation.

Majr. Jennifer some Time ago directed Colo. Hollingsworth to sell a Quantity of Pig Iron to raise £100 each for the attending Delegates; he did so but I believe he has not received the Money for it altho' the Time of Payment is elapsed. The Colo. has notwithstanding furnished Mr. Hanson and myself with £50 each, which on my Part is nearly expended, and I see but little Prospect of getting any more shortly. The small Allowance we have ought to be regularly remitted to prevent extreme Distress. I Wish the Major wou'd think of another Order before this Supply is quite exhausted. Not one Line from you by this Post.

I am with real Esteem and Regard, yr. very humble Servt.

Turbutt Wright

RC (PHi: Dreer Collection).

[1] See James Madison to Edmund Randolph, May 1, note 10, and John Hanson to Philip Thomas, May 27, 1782, note.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir Philadelphia June 5th 1782

We have only at this time to Acquaint your Excellency of our Arrival at this Place on Fryday last after a very favourable Journey making out between thirty & fourty miles a day one day with Another. We have been so little while in Congress as not to be able to transmit to you any matters of Consequence since our Arrival.[1] Your Letters to the President were seasonably delivered & tho Congress seemd to think Dean or his letters in themselves Considered not worthy of Notice yet they seemd highly pleased with your Answer considered in a publick light & ordered the same to the Minister of foreign Affairs.[2] A word has not been said in Congress with respect to the dispute between Connecticut & Pensylvania, tho some Gentn out doors employd by this State have Conversed with us on the Subject & propose a Conference so far as to know each others Concessions to save trouble & expence, & Indeed mention something about our agreement on the Commissioners &c. We are unhappy in Coll Roots leaving Congress at this season which was a few days before our Arrival & will render it Improper for Coll Dyer being but one out of 3 Agents to Act any thing in the affair; not only as Coll Roots assistance would be much Needed but the power of one might be Questioned.[3] We hope his return will be hastned as far as possible as Every thing respecting that dispute must be postponed till his return. A News paper or two will give you all the News here & perhaps will be only a return of what you have had before.

Are with Sincere Esteem & respect, Your Excellencys Obedt. Hle Servts.

Elipht Dyer

Benj Huntington

RC (Ct: Trumbull Papers). Written by Dyer and signed by Dyer and Huntington.

[1] Dyer and Huntington had taken their places in Congress on June 3. *JCC*, 22:314.

[2] See Charles Thomson to Robert Morris, June 4, 1782.

[3] Dyer and Jesse Root had been named with William Samuel Johnson as Connecticut's agents in the state's dispute with Pennsylvania over claims to the Wyoming Valley, and in accordance with a November 14, 1781, congressional resolve were to appear for a hearing on the dispute to be held in Philadelphia on June 24 "pursuant to the ninth article of the Confederation." Root, however, had recently departed on a congressional assignment to the northern states to exhort fulfillment of their Continental quotas, and Dyer subsequently struggled to obtain a postponement of the hearing until Root returned to Philadelphia. For the context of these developments and the Connecticut delegates' efforts to prevent the opening of the hearings until Root's return, see *JCC*, 21:1115–16, 22:351–52, 355–57; *Susquehannah Co. Papers*, 7:104–16; and Connecticut Delegates to Trumbull, July 1, 1782.

James Madison to Edmund Randolph

Dear Sir June 6th [1782]

Mr. Webb being detained till this morning[1] I enclose you the gazette of it. You will find a singular extract from Lord North's Butchet. The Speech was delivered on the 11th of March. It must have been Mr. Ross's Contract therefore & not Mr. Morris's which supplied this article.[2] I am just told that the Senate have put their veto on the Resolutions of the H. of Delegates agst. the latter. If an existing law however prohibits the exportation, and one branch of the Legislature protests agst. the authority of Congress to dispense with it, The Executive will scarcely suffer the Tobo. to be exported. If this matter should terminate in an agreement by Maryland to supply the Tobo. and Virga. should be drained of her money to purchase the Staple of the former, whilst her own Staple is left on her hands ———. The proviso in the resolutions in favr. of the Contract of the State agent furnishes I find a copious topic for Anti-Virginian Critics. It is inconsistent with the laws of the State—with the Ordinances of Congress—with the Treaty with France—with gratitude to our Allies—for Tobo. to be shipped to N.Y by Mr. M. for the advantage of the U.S. But if the identical Tobo. be shipped by Mr. R. for the advantage of Virga. the inconsistency is done away in the eyes of The House of Delegates of Virginia.

A New York paper of the 1st Instant contains so many minute particulars touching the defeat of the French in the W. Indies, taken it is sd. from an official acct. in the St. Lucia Gazette, that Mr. de M— —s[3] himself says it is in vain any longer to struggle agst. the belief of it.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:323–24.

[1] See Madison's second letter to Randolph, June 4, note 6.

[2] In his March 11 speech before the House of Commons Lord North had proposed that the Virginia tobacco shipped to Great Britain by the British traders captured at Yorktown be subjected to a duty of four pence a pound. He used the figure of 3,000 hogsheads which apparently referred to the contract negotiated by state agent David Ross on behalf of Virginia rather than that negotiated by Robert Morris on behalf of the army. See the *Pennsylvania Packet*, June 6; and Madison to Randolph, May 29, 1782, notes 4 and 5.

[3] That is, the marquis de Barbé-Marbois. For Marbois' and Madison's collaboration at this time on a public statement designed to relieve public anxiety over recent French losses in the West Indies, see Madison to Randolph, June 11, note 5.

Abraham Clark to Elias Dayton

Dear Sir Philadela. June 7th. 1782.

Colo Barber hath I supposd informd you how matters had been conducted before he left this. I moved for your promotion, which as it was requested by our Legislature, Congress did not care directly to refuse, but moved for & accordingly postponed the Question—then moved for the sense of the house to be taken whether it was expedient at this time to make any promotions, or in other words moved that Congress should declare it was inexpedient to appt. any more Brigadiers which was lost altho six States voted in favour of it, when seven must have done it to have made it an Act of Congress—on which Account altho' we could know the designs of Congress, yet no entry of any of these proceedings were entered on the Journals,[1] which I was determined to bring on by a New Motion in order for our Justification to the state; this I intended to do this day, but Omitted it at Genl Lincolns desire who gives me encouragemt. to hope the measure may be carried as soon as he returns from head quarters & can Obtain information of the state of the Massachusets Line as he hears Genl Glover hath resigned, and if any promotion should be made in that line yours he says will come of course. I think therefore upon the whole you had best not to think of resigning, at least untill the Genl returns which will not be long first—for the Above reasons. Others perswade me to rest the matter for the present, all which put together induces me to Suspend the business for the present in which you may rest Assured I shall embrace the first opportunity after the Genls. return, to press the matter, policy forbids it sooner. I am, Dr Sir, Most sincerely yours,

Abra. Clark

RC (DNDAR: Americana Collection).

[1] Clark's assertion is puzzling inasmuch as the journals do indeed record Clark's motion on May 8 to obtain Dayton's promotion as well as the maneuvers of other delegates the following day to prevent postponement of efforts to promote additional brigadiers. See *JCC*, 22:248–53. For Clark's continued interest in Dayton's promotion, which was not effected until the following January, see Clark to Dayton, July 29, 1782; and *JCC*, 23:753n.3, 791, 24:38.

Charles Thomson to William Ellery

Sir, Saturday June 8, 1782

I have received your note wherein you desire to be informed "whether a resolution ever passed Congress to this effect that no person should be commander in chief of the armies of the United States longer than three years and was afterward struck of the journals; and whether there was ever a motion made to that purpose."[1] With regard to the first I am confident no such Resolution was ever passed. As to the latter I can only say that I do not recollect that ever a motion was made to that purpose. And I think if such a motion had been made I should have heard of it or shou'd have some recollection of it.

I wish you a happy Journey[2] and am, Sr, Your obed humble Servt,

Cha Thomson

RC (NHi: Naval Historical Society Collection).

[1] Ellery's "note" has not been found, but his query concerning the tenure of the commander-in-chief is especially interesting in light of the fact that former Rhode Island delegate Daniel Mowry had been circulating the charge that Ellery was "an

enemy to General Washington," and that upon his return to Newport Ellery drafted a bitter letter denouncing Mowry for propagating "infamous falsehoods" about him, for which see David Howell to Ellery, August 10, 1782, note 2.

[2] Ellery was about to return home, having been superseded by David Howell who had just arrived and taken a seat in Congress on June 7. *JCC*, 22:320. For Ellery's failure to win reelection to Congress in May 1782, see William M. Fowler, *William Ellery: A Rhode Island Politico and Lord of Admiralty* (Metuchen, N.J.: Scarecrow Press, Inc., 1973), pp. 140–44.

David Ramsay to Nathanael Greene

Dear Sir, June 9th 1782. Philada.

You have laid me under great obligations by your favor of the second of May. A correspondence with you was an event more wished for than expected as I know your constant hurry of business; but, your politeness in beginning the matter has very sensibly affected me.

I have had many anxious hours about the army under your command. It seems to be decreed that you are to have a succession of evils to encounter. No sooner have you confined the enemy to the environs of the capital, than mutiny & discontent make their appearance. I know your army has a long list of grievances unredressed; but, if you had a battle every month, a skirmish every week, there would be less danger of mutiny. We have had a great deal of talk about supplying the Southern army, & I hope some good will result from it. I agree with you that the powers of Congress are too limited. Treason in our governments may be committed by a state as well as an individual. That one which does not contribute its quota in men & money is guilty of treason in the worst sense; for it does that which in its consequences tends to the destruction of the body politic. Thanks to our stars, We learn from the debates in the house of commons, that an offensive war is no more to be prosecuted. This will procure a truce to the planters & the interior parts of our country. I wish it may not be the means of making a truce in our exertions for the expulsion of the common enemy.

After a variety of confused & contradictory intelligence about the fleets we have [*at*] last settled in the belief that the French lost five or six ships of the line on the 12th of April. I fear that this will ruin the expedition against Jamaica; but, let us hope, that it will give more leisure for an expedition to this continent. A naval war is devoutly to be wished, till at least we are able to do something at sea. We may all join in wishes that a stop should be put to a land war; but, it is questionable whether it is our interest to have peace completely both by sea and land. If the British continue to obstruct our trade it will learn us one of two things either to live without trade, or to continue the means of protecting it.

Mr Rutlege is gone to wait on the assemblies of Maryland & Virginia by order of Congress. This is a new & a more effectual method than a circular letter.

Sir Guy Carleton is all good natu[re]. He has granted us flags to send back the inhabitants of South Carolina at the expence of the King of G.B., & adds *"that is in perfect conformity to the Kings benevolent intentions,"* & talks very largely about *"forgetting the severities that have imbittered our unhappy divisions."* Mr Gadsden never expected such an answer as this when he was so strenuous that the flags should be applied for. We are puzzled what to do—to refuse them would argue inconstancy & would be unkind to our people, to accept them in this moment of concilliation would perhaps be injurious to the united states. Congress will decide upon it in a few days.[1]

Your old friend, & my quondam fellow student, David Howell of Rhode Island college was added to our number last friday. He is a man of sterling sense, & I flatter myself will be a real addition to our body. Mr Ellery from that state is left out, it is said because he does not like Gen. Washington. If the people of America should ever relapse into Idolatry our illustrious commander in chief would be Jupiter, so universally is he beloved, I had almost said adored.

Yours most respectfully, David Ramsay

RC (DLC: Greene Papers photostat).

[1] See South Carolina Delegates to John Mathews, May 6, note 5; and John Morin Scott to Washington, June 4, 1782, note.

Elias Boudinot to the Chevalier de La Luzerne

Monday June 10 [178

Mr. Boudinot presents his Compliments to the Honorable the Minister of France. Has the honor of enclosing him a Copy of an Address from the State of New Jersey, and which the Delegates have Instructions to present to the Minister plenipotentiary of France.[1] Mr. Boudinot begs the Favour of the Minister's appointing an hour in which it will be agreeable to him to be waited on for this Purpose. Enclosed also is what the Delegates think proper to say by way of Introduction to the reading of the above address.[2]

FC (DLC: Boudinot Papers). In the hand of Elias Boudinot.

[1] A copy of the enclosed "Address," congratulating Louis XVI on the birth of a dauphin and expressing gratitude for the "disinterested friendship and powerful Succour" extended to the United States by the French crown, is in the Boudinot Papers, DLC. For its adoption by the assembly and the council on June 1 and 3, see *Votes and Proceedings of the General Assembly of the State of New-Jersey* [May 15–June 24, 1782], pp. 21–23, DLC(ESR).

[2] Boudinot's draft of the enclosed "Introduction," which is also in the Boudinot Papers, DLC, reads as follows: "The Delegates representing the State of New Jersey in Congress have been honored with official Instructions from their State to present to you Sir, the congratulatory address of their Legislature on the auspicious Birth of a Dauphin of France. It is with very particular Satisfaction that they execute so honorable a commission, at this important & critical Period, especially as they most cordially unite with their fellow Citizens in every Testimony of respect, on so interesting and happy an Event."

Boudinot's copies of La Luzerne's responses to the New Jersey delegates and to the legislature of New Jersey are also in the same collection of his papers.

Arthur Middleton to Aedanus Burke

[June 10? 1782][1]

Hints for a Letter to South Carolina

AEB. Letter has given me particular pleasure from its fullness and sincerity. Your sentiments are generous and bespeak the united position of the Patriot and the Politician. It is not by contracted and narrow motives that a public Official should act, but on large and disinterested conduct only can a free Government be established and [largely?] supported. A Legislature should proceed with caution and coolness not with the heat of a distempered mob. Persecution upon whatever Basis founded may give Life to the opposing Party. The Danger of fixing a Precedent for future Cruelties may affect the posterity of those who are uppermost. I much fear the indiscriminate ruin of the unfortunate with the wicked. The frailties of human nature should be taken into consideration by men to whom submission became necessary from Circumstances. The stigma indelibly affixd by the Vote of Sequestration will be more cruelly felt than the loss of property. Some who have pass'd through Life with the inestimable position of usefull and worthy Citizens must feel the pointed stroke of public indignity whose effects must remain on their Progeny who have conducted themselves with Punctuality and firmness—at the risque of everything they hold dear and valuable. I know the difficulty of stemming the Torrent of public Vengeance which seldom adopts Punishments to Crimes with proper Proportion. This sense of the difficulty makes me easy that I was not with you.

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] This letter, which was drafted largely in shorthand, appears to be a reply to a May 14 letter from Burke describing vengeful legislation recently enacted by the South Carolina legislature against alleged loyalists, for which see *SCHGM* 26 (October 1925): 197–202. Middleton, who had endorsed Burke's letter "Recd. June 10th, '82," may have begun to jot these "Hints" for a response almost immediately. For an earlier expression of similar sentiments, see Middleton to Burke, April 7, 1782.

Samuel Wharton to Simon Kollock

Sir[1] Philadelphia June 10th 1782

Permit Me, through you, to express my very grateful acknowledgments to the Honorable the House of Representatives, for the high Mark of Confidence which They, in Concurrance with the Honorable the Council of the State of Delaware, have been pleased to place in Me, by appointing Me one of their Delegates in Congress. I am very sensible, Sir, of this distinguished Honor, and it shall be, I assure you, my Study and pride, by every Means in my Power, to show myself worthy of the Appointment. I have requested the Favor of his Excellency the President, to take Charge of the printed Journals of Congress, from the first of January 1781 to the first of April 1782, and in a Short Time, I will forward to you, an Abstract of the essential business, which has since then come before that body.[2] That part of the Instructions to the Delegates, Which directed Them "to use all Means in their power to obtain immediately an Alteration in the *Ordinance* concerning Captures" engaged their earliest Attention, and you will find, if you will be pleased to look into the Journals now transmitted, page 295, An Ordinance is made for further amending the "Ordinance ascertaining what Captures on Water shall be lawful" And that therein is a Clause obviating the Grievance suggested in the Instructions to the Delegates. This I hope will meet with the Approbation of the Honorable the Assembly.

The consideration of the *preliminary* article respecting the Recognition of the Territory, called Vermont, and all Transactions relative to that Business are postponed to the last Tuesday in this Month. The Report of the grand Committee, consisting of a Delegate from each State, was made the first of March last, and in the Journals now sent, you will observe Sir, what passed in Congress upon that Subject. The first of April, The Agents for the People of Vermont laid before Congress A Letter dated the preceding Day, informing, That in Consequence of it's Declaration of the 20th of August last, The Legislature of Vermont had passed several Resolutions, expressive of their Compliance with the preliminary Article required by Congress, together with a Duplicate of a Commission to Them, impowring the said Deputys, in behalf of the State of Vermont, to Subscribe the articles of Confederation. This Letter and these Resolutions were referred to a Committee, Who made a Report favourable to the acknowledgment of the Independance of Vermont. A long Debate arose after reading the Report, and it issued in postponing the further Consideration of it, until, as has been observed, the last Tuesday in this Month. The States of New York, Virginia, South Carolina, and Georgia were averse from the Recognition of the Independance of Vermont. The first, because it was alleged by Them, That part of the Territory included within the Boundaries of Vermont was the undoubted property of the State of New York, and that State had not a Sufficient Indemnity for it's Loss of Territory: And the three other States (Virginia, South Carolina and Georgia) were against the Recognition, because They were apprehensive, That by establishing a president, of admitting a new State into the Union, There would soon be one, or more new States erected upon the Territory, Westward of the Allegany Mountain. The Delegates of Virginia, a few Days after the Business of Vermont was postponed, moved, That Congress should decide, Whether They would accept the Cession offered by the State of Virginia, of the Lands *to the Westward of the River Ohio,* upon the Conditions annexed to that Cession. Eleven States being at this Time represented, A short Day was fixed for taking up the Report of the Committee, respecting vacant and unapropriated Lands, at the Commencement of the Revolution. This was accordingly done, and then a Motion was made by two of the Virginia Delegates (Mr. Arthur Lee and Colonel Bland) to this Effect. That each Member of Congress present, previous to the Consideration of the Report of the Committee, should declare upon his Honor, Whether He was, or was not interested in, or claimed any of the Lands mentioned in the said Report. This Motion was ridiculed by all the Members in the House, except those from Virginia, South Carolina and Georgia, as it was notorious, There was scarcely a person of any Consideration in Virginia, Who had not taken out Warrants for, or located great Quantitys of Land, within the Country, Westward of the Allegany Mountain, *in direct Contempt, and Disobedience of the Resolves of Congress.* I thought it necessary upon this Occasion to rise, and say, That there was not a Member upon the Floor, who did not know, I was interested in Lands, Westward of the Allegany Mountain. The Memorials and Remonstrances of my Associates and myself lay upon the President's Table, and had most of Them, been in the Secretary's office, from the Year 1777, and now were connected with, and made part of the Report of the Committee. That when the private rights of my Associates and myself was taken up, and agitated in Congress, *I should withdraw from the House;* But at all Times, when the Consideration of the Lands, which were vacant and unapropriated at the Revolution, was before Congress, I should to the utmost of my Abilities, vindicate by Argument, and maintain by indisputable Documents, The Right of the United States to these Lands. In the Order of the Report of the Committee, The Cession of the State of New York was the first to be considered, and it was unanimously recommended by Them, That Congress should *Accept it.* Several Days passed in general and warm Debates upon the Report, and some Members being indisposed, and others obliged to go to their several States, It was judged adviseable to defer the further Consideration of it, until the States were more fully represented, and Therefore it was postponed sine Die. The Business is to be revived, as soon as there are a sufficient Number of States represented in Congress, favourable to it; And if the affair of Vermont, and the Cession of New York were settled, and accepted, We should be joined by those two States. In short We might then safely reckon upon the following States voting with Us. Vidzt. Massachussets, New Hampshire, Rhode Island, Connecticut, Vermont, New York, New Jersey, Pennsylvania, (Delaware) & Maryland. It is of much Importance for Congress to accept the Cession of New York, because it would vest in the united States, *all* the Lands which the State of Virginia, without a Shadow of Right, now makes pretensions to. To enable the Honorable House of Representatives to form a proper Opinion, upon the Cession offered by the State of New York to the United States, I will take the Liberty of Briefly reciting the History, and Extent of it. The five Nations of Indians, are the unquestionable Propriators of the Country, as far South as Carolina; To the Northward, as far as New England, and as far West as the River Missisipi. A vast country (says Doctor Colden)[3] Which extends Twelve hundred Miles in Length from North to South, and about Six hundred Miles in Breadth. All this Country, in the year 1684 was put Under the protection of the Duke of York. Lord Howard of Effingham, Governor of Virginia, that year by a formal Instrument of Writing recognized and acknowledged the Governor of New York, under the Duke of York, To be the Governor of the five Nations. In 1701 These Nations by Deed of Conveyance placed all their hunting Lands On Ohio &c under the protection of the King of England for *their* Use, and the said King annexed this Trust, by two royal Instructions to the Government of New York, That it might take due Care of these Indians, and their Country. Those Instructions were produced and read in Congress. In 1722, a Conference was held at New York, between the Governor of that Province, and his Council, The Governor of Virginia and two Commissioners, and the Governor, and two Commissioners from Pennsylvania. The Governor and Commissioners of Virginia then, as appears, by the Minutes of the Council of New York, in the most ample Manner, recognized and acknowledged, That the Goverment of New York, had vested in Them the absolute Right of Jurisdiction over, and pre-emption of the Lands and Country of the five (now Six) Nations of Indians; And an act of Assembly of Virginia made in 1722, previous to the Governor and Commissioners of that colony, going to the above Conference at New York, authorised Them to make the said Recognition and Acknowledgement. Virginia sensible of her Want of right to the Lands, Westward of the Allegany Mountain, produces no Kind of Prooff to support it, But contents Herself with Threats, and vehement Declarations. Tho' She knows a royal Proclamation and repeated Instructions are ready to be produced against Her, forbidden her in the most explicit Terms to extend her Limits beyond the Mountain. His Excellency will inform the House, what has been done, and is proposed to be done in England, relative to these States, and that the new Ministry of that Kingdom, are mediating Measures, as offensive to the Honor and Happiness of the United States, as their predecessors have done. His Excellency will also explain to the House, the motives of Congress, for sending a Deputation of two of their Members to each of the States, Southward of, & inclusive of Pennsylvania to North Carolina and two other of their Members to the States, from New Jersey to New Hampshire inclusive. The Delicasy of their Mission, forbids Me from descending into particulars. Two Delegates of the State of New Jersey last week mentioned to Me, That They should soon move Congress, in Respect to the Islands in the Bay and River of Delaware.[4] Whenever this Business is brought on, you be assured Sir, That the Delegates will give the utmost Attention to it, and display the Right of the Delaware State. In some of the publick Papers of this City, A Writer has thought proper to mention my Name in opprobious Terms.[5] I have not taken the least Notice of his publications, apprehending it altogether unbecoming One of your Delegates to dispute with anonymous Scriblers. I consider myself wholy accountable to the State, Who has done Me the Honor of appointing Me, One of their Delegates in Congress, and it is for their Satisfaction, I have requested the Favor of his Excellency the President, to take Charge of two Certificates (exclusive of One from his Excellency Dr. Franklin) sent Me by two Gentlemen, who were immediately privy to my Conduct in England, and to These allow Me to add Sir, That I remained there, until the year 1778, at the Instance and express Desire of Doctor Franklin (with an offer from Him of a handsome allowance from the United States) to furnish Him with regular accounts of the proceedings, and Designs of the British Court.[6] This I did, intirely to his Satisfaction, as He has certified, and the Court of France was so sensible of my Industry, and Fidelity in this Business (as I wrote constantly, through their Courier Once a Week, whilst their Ambassador staid in London, and by the post also, as often, Through the Mails to Calais & Ostend) That when I departed from France, Count de Vergennes, Secretary of State, recommended [me] in warm Terms to the Chevalier de Luzerne, Minister plenipotentiary of France to the United States. I am not ignorant of the Person, who composed the publications in Question, nor of the Original Instigator, behind the Curtain. If I had not exercised my Pen upon the pretensions of Virginia to the vacant Lands, I should have had no unfounded and unjust surmises, insinuated against Me. The secret author of these venemous Calumnys well knows The base Falsity of his own suggestions. He himself had the fullest Evidence to the Contrary; But an Attempt was to be made, from a hope, That possibly the Slander might injure Me, in the Opinion of the Honorable House. I would have paid my personal Respects to Them, But the State would have been unrepresented in my Absence. I shall detain You no longer, Sir, But request leave to Solicit the Honor of your representing, in my Behalf, to the Honorable the House of Assembly, That so long as They shall be pleased to concur in nominating Me, one of the Delegates in Congress, for the Delaware State, My Time and zealous Exertions shall be most faithfully devoted to it's Service. Actions will be the best Expositors of my Declarations, and to Them, I very chearfully submit.

With every Sentiment of Duty and Respect to the Honorable House, I take the Liberty of subscribing myself, Sir, your most Obedient and most humble Servant. Saml. Wharton

RC (De–Ar: Legislative Papers).

[1] Simon Kollock was the speaker of the Delaware assembly, where he had served since 1778. Claudia L. Bushman et al., *Proceedings of the Assembly of the Lower Counties on Delaware, 1770–76, of the Constitutional Convention of 1776, and of the House of Assembly of the Delaware State, 1776–1781* (Newark: University of Delaware Press, 1986), p. 580.

[2] Wharton explained his transmission of these journals in the following brief letter to the president of the Delaware council, Thomas Collins, the following day. "I did myself the Honor of addressing you yesterday, [*not found*], and inclosing the Journals of Congress to the first of April. I now forward a Continuation of Them to the 21st of May." Legislative Papers, De–Ar.

[3] Cadwallader Colden, *The History of the Five Indian Nations Depending on the Province of New-York in America* (New York: William Bradford, 1727).

[4] See Abraham Clark to John Mehelm, October 23, 1781.

[5] Wharton's defense of the claims of the Indiana Company, set forth in his pamphlet *Plain Facts*, had recently been vigorously attacked by "Caractacus" in the April 24 and May 8 and 22 issues of the *Freeman's Journal*.

[6] For the early war-time relationship of Wharton and Benjamin Franklin, see Franklin, *Papers* (Willcox), 23:61–66, 150–51, 157, 202–5.

Theodorick Bland to St. George Tucker

Dr. Tucker Philada. June 11th 1782

By my literary Register I stand indebted to you a letter—not on the general account—for I find one unanswerd—on perusing of it I find the cause of its being so. It containd many important observations, on most of which I wishd to descant freely with you—but the prolixity of the Public letter, and a multiplicity of other Business prevented me. Your Idea of the policy of the British ministry exactly corresponds with ours here, indeed their deceptions are so glaring that they cannot be mistaken by a people emerged, but one degree from Barbarism, accordingly, they seem to have affected several

Publick bodies—and produced Sentiments as Similar and as uniform, tho at a Considerable distance and without previous concert, as were excited in the time of the Stamp act &c. &c. &c. You will see this exemplified in the Resolutions of Jersey, Maryland, Virginia &c. &c. Those from our State have met with Universal approbation, as being clear, sensible and decided, and I have reason to think will have a very Considerable Influence. It is near three Weeks Since I had the Honor to move that Congress shd. come to similar resolutions and publish a declaration to the World of their determination to hearken to no terms of accommodation, but what were strictly consistent with the terms of our alliance, nor ratify any treaty of which independence was not the Basis;[1] such a step will in my opinion give the Mediators a good ground to work upon—and do away all the false and insidious Arguments of the Court of great Britain, used to them, viz that their revolted Colonies are disposed to treat Seperately, and that they have a right to avail themselves of that disposition without the intervention of any power on earth and it will at the same time support the opposite Arguments of our ally with the Mediators—and shew the futility of an attempt in great Britain to undertake a seperate treaty with us in any form. I am happy to be informed by some of my Correspondents that your fears with respect to the fate of the Tax law and some other Business in the assembly will probably soon be at an end. We are led to believe that, the assembly are going on swimmingly on some capital points of finance, or that they do not intend to undo the good they have done. I think their Idea of dividing the tax into two installments, a very good one, it is the middle between two extremes, & will, (at the same time that it affords a test of their being specie,) put what there is into a more rapid circulation, and of course multiply its Quantity so that the specie first paid in will circulate to pay the 2d installment &c. This will not leave a vacuum which shd. be carefully avoided by every wise Government. I know not Certainly who you mean by our F——d the Br—— but Guess it must be L——n—his gooses Quil does not appear to me capable of soaring to Eagle Heights—and all the Elevation the Farmer can ever expect, is that which Common sense has given him by weighing him in his own scales. I have performd my promise in introducing common sense in Virginia to his name sake in Philadelphia.[2] You tell me you have heard from Mrs. Bland by letter. I am extremely sorry to find by her letters that you nor any of *my Friends*, have had any other communication with her since my departure. Tell Fanny, I take it rather unkind that she has neither wrote to her Brother nor visited the part of him left in Virginia. I cannot account for it on any of the principles of Brotherly love—or Christian Charity. I have wrote once or twice to the Old

Gentleman but have Received no answer. I am extremely Sorry to hear that he has been again afflicted with a repetition of that Excruciating disorder. My affectionate love to Fanny and the Children and be assured that I am, yr. Sincere Friend, Theok. Bland

[*P.S.*] I enclose you a paper containg. the returns of Killd & Wounded of Rodneys fleet &c. Let Mr. Banister have the Perusal.

RC (ViW: Tucker-Coleman Papers).

[1] Although Bland's motion was probably made in connection with the debates on La Luzerne's report to the secretary for foreign affairs concerning recent British attempts to drive a wedge between America and her allies by suggesting terms for a separate peace, it has not been found. See *JCC*, 22:302–5, 311–13.

[2] Through the spring of 1782 essays appeared in the *Virginia Gazette, or the American Advertiser* under the pseudonyms "Brutus" (from the *Maryland Gazette*) and "Common Sense" (from the *Pennsylvania Gazette*) as well as a series by "A Farmer" and "A Land-Holder" opposing and defending Continental taxation in Virginia. In a letter of May 2 Tucker had informed Bland that "an acquaintance of ours under the signature of the 'Farmer' has caught the popular ear most astonishingly," but identified him only as a member of the Virginia assembly. See *The Bland Papers*, ed. Charles Campbell, 2 vols. (Petersburg, Va.: Edmund & Julian C. Ruffin, 1840–43), 2:79.

John Hanson to John Hall

My Dear sir Philadelphia June 11th 1782

I thank you for your favour of the 7th Instant. I shall rejoice to hear of the passage of a law establishing the 5 Per Ct Duty agreeable to the request of Congress[1] and if it is for a limited time I hope it will be for so long a time as to Effect every purpose.

That the french have lost Six Ships in the late engagement is a fact I fear too well Confirmed, but I Console myself in the hope that the British have Suffered equal damage. The Conduct of the french redounds much to their Credit and honor. They have with an inferior force protected the whole of their large Convoy, and made a junction with the spanish fleet—which was their main object, and which it was the business of the British to have prevented, so that it may with no great impropriety be said that they have obtained a Victory. The Combined fleets are still Superior to the British, and it is probable the Expedition Against Jamaica will go on. God grant it Success. Should the reduction of that important place, be Accomplished, that with their other losses will perhaps incline the English to think Seriously of peace. I believe it is pretty Certain that an embarkation of Troops has lately taken place at New York, but their Numbers and destination unknown. The Continental Treasury is very low indeed, nothing paid in by Any of the States. What will be the Consequence. Should our Bank fail? And what Can Support it if the Taxes are withheld? With the most Sincere Wishes for your health and happiness, I am, My Dear sir, Your most hble servt,

J.H.

RC (PHi: Dreer Collection).

[1] The Maryland impost act was adopted on July 12 and received by Congress on July 15, for which see Hanson to the States, July 20, 1782, note 2.

James Madison to Edmund Randolph

Dear Sir Philada. 11 June 1782

I have your favor of the 1st instant.[1] I hope you received mine altho you do not acknowledge them. My punctuality has not been intermitted more than once or twice since your departure, and in no instance for a considerable time past.

I have written so fully concerning the flags that I have nothing to add on that subject, but that I wish the Senate may by their perseverence in this occasion exemplify the Utility of a check to the precipitate acts of a single Legislature.

Having raised my curiosity by your hints as to certain maneuvres, you will not forget your responsibility to gratify it. The pleasure I feel at your being included in the Commission for vindicating the claims of Virga. is considerably impaired by my fears that it may retard your return hither.[2]

Great as my partiality is to Mr. Jefferson, the mode in which he seems determined to revenge the wrong received from his Country, does not appear to me to be dictated either by philosophy or patriotism. It argues indeed a keen sensibility and a strong consciousness of rectitude. But this sensibility ought to be as great towards the relentings as the misdoings of the Legislature, not to mention the injustice of visiting the faults of this body, on their innocent constituents.[3]

The fleet said to be preparing to sail from N. York has, I believe certainly left that place with a body of troops on board. The number of men as well as the destination of the fleet is very differently represented. The prevailing conjecture as to the latter is that it will go to Charlestown, and either reinforce the Garrison there, or carry off the Garrison with the troops already on board, to the West Indies.

We have not yet obtained any official intelligence from the French fleet. Concurrent reports make it probable that it has made a junction with the Spanish fleet which awaited it at Hispaniola. Should this be the case, the loss suffered in the action of the 12 of April, ought not one would suppose to frustrate the expedition against Jamaica.

No despatches from Europe have come to hand within the week past, nor do any of the proceedings of Congress furnish matter for a paragraph.

Sir G. Carlton still remains silent. The Resolutions which the Legislatures of the States are passing may perhaps induce him to spare British pride the mortification of supplicating in vain the forgiveness of Rebels.

Mr. {Izard},[4] warm & notorious as his predilection for {the Lees} is, acknowledges and laments the opposition made {by them} to measures adapted to the {public weal}.

The letter on the first page of the Gazette of this morning was written by Mr. {Marbois}. In an evening of promiscuous conversation I suggested to him my opinion that the insidiousness of the British Court, and the good faith of our Ally, displayed in the late abortive attempt of the former to seduce the latter, might with advantage be made known in some form or other to the public at large. He said he would think of the matter, & next day {sent me} the letter in question, with a {request that I would revise and translate it for the press}, the latter of which was done. I mention this that you may duly appreciate the facts & sentiments contained in this publication.[5]

If Mr. Jones sd. be at Richmond you will of course let him have a perusal of the inclosed papers &c.

Adieu JM.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:333–34.

[1] See ibid., pp. 305–6.

[2] See Madison to Thomas Jefferson, March 18, 1782, note 6.

[3] For Jefferson's latest refusal to assume his seat in the Virginia House of Delegates, see Jefferson, *Papers* (Boyd), 6:184–87.

[4] Words printed in braces in this text were written by Madison in cipher. Ralph Izard had assumed his seat in Congress on June 7. *JCC*, 22:320.

[5] This letter by the marquis de Barbé-Marbois appeared in the June 11 issue of the *Pennsylvania Packet* with the following explanation: "The following Extract of a Letter written from Philadelphia, by a Gentleman in Office to one of the principal Officers in the State of New-Jersey, cannot fail to be acceptable to the Public. We are authorized to vouch for the Authenticity of the Facts contained in it." For the text of the letter and a discussion of the extent of Madison's collaboration with Marbois in the preparation of it for publication, which was designed to relieve public concern over French losses at the Battle of the Saints and to bolster sentiment for the French alliance, see Madison, *Papers* (Hutchinson), 4:326–30.

Virginia Delegates to Benjamin Harrison

Sr. Philadelphia June [11,] 1782

This days post brought us Your Excelly's. favor of the first of June[1] enclosing the Resolution of May 28th relative to the Commissioners for settling the Accounts of the State, as also, a letter for the Chevr. de la Luzerne, and a Copy of Resolutions of the Assembly of the 23d of May, relating to the transaction of Col. Harrison with that Minister, all of which shall be duely attended to.[2]

Nothing Authentic has yet reachd this place from the French fleet in the West Indies, since the action of the 12th of April; and altho Contradictory accounts continue to arrive daily, from Various Quarters, which diminish the loss of our Ally, some of them even so far, as to reduce it, to only two ships—Yet we are sorry to give it as our opinion that there is too much reason to believe the Acct Publishd with Rodneys signature bears too many marks of Authenticity to be doubted.

The Embarkation from New York, which we informd Yr. Excellency in our last was likely to take place, it is reported has actually saild, but of this we have no Authentic accounts, The number of troops embarked is not ascertaind nor their destination

Nothing of moment has happend since our last. we are, with assurances of the most perfect esteem & respect,

Yr. Excellys. Most obedt. Serts. James Madison, Jr.

Theok. Bland Jr.

Reprinted from Madison, *Papers* (Hutchinson), 4:332.

[1] Not found.

[2] For these Virginia resolutions, see ibid., pp. 56–57n.6, 325n.3, 333nn.2 and 3.

Elias Boudinot to Lewis Pintard

My Dear Sir, Philadelphia June 12th, 1782

Your kind Letter of the 1st Instt gave me great Pleasure, as it informed me of Patty's recovery, as I greatly feared she might have a bad Fever, when I left her.

It is now beyond a Controversy that the French have been most severely drubbed in the West Indies, Count DeGrasse is actually taken with 4 or 5 Capital Ships. This will greatly derange the prospects of the ensuing Campaign.

Trade in this City is at a Stand—nothing to be done in that way. The Merchts. seem to be very dreary in their prospects. I am uneasy at the State of your money here. Mr. Robinson has engaged in purchasing the Pay-Masters Bills payable 1 Augt. next, at 10 per Ct.

discount. This he says is very advantageous. He has laid out 3000 Dollars and says he can serve you in the same way. This would be serving the Public & yourself at the same Time. Loan office Certificates have again fell to 22d. a Dollar. I wish you was here, as your Money ought not to lay Dead.

Mr. Risk says that the Cotton arrived but was all snapped up the first night it came, and before he got there next Morning all was gone. He seems very uneasy abt it, and says the first that comes down he will get it.

Enclosed is a number of Letters from Holland, which I thought best to open, that they might be forwd by express if necessary. I should have wrote last Post but was out of Town. Hanny has the last Bradfords Paper.

My kind Love to Mrs. P., Patty, Johnny &c.

Am my Dr Sir, Yours Affecty, B

RC (PHi: Boudinot Papers).

John Hanson to Philip Thomas

Dear Doctr. Philadelphia June 12th 1782

I wrote you a few lines yesterday[1] by the post and inclosed you the paper of that day. That the french have lost Six Ships in the late engagement, is a fact I am afraid is too well Confirmed, but I console my self in the hope that whenever we have an Account of the Damage the British have Sustained (which Account we must not expect to receive from them) it will be found to be equal to that of the french. The Conduct of the French in this engagement notwithstanding the loss of so many of their ships must redound much to their honor & Credit. They have a fleet much inferior to that of the British protected their large Convoy and made a junction with the Spanish fleet, which was their main object, and which it was the designs of the British to prevent and it may with no great impropriety be said that they have gained A Victory. The Combined fleets being still Superior to the British, it is probable the intended expedition against Jamaica will go on, God grant it Success. Should the Surrender of that important place be Accomplished; that with the other losses the British have Sustained in the West Indies and other places would perhaps dispose them Seriously to think of peace, but I am still of opinion that nothing would Contribute to bring about that happy event so much as expelling them totally from this Cont[in]ent. Their present System is to distress us by a presecution of our trade, And to endeavour to Convince us, that it is not in the power of our Ally to give us that protection, and furnish us with the supplies we expected, and by that means hope to draw us from our Alliance. It is pretty Certain that an embarkation has lately taken place at new york, and that about 80 Transports have lately Sailed from thence—the number of Troops and their destination is unknown, the most probable Conjecture is that they are going to Hallifax or the West Indies. Sir Guy Carlton Keeps himself very quiet. We hear nothing from him, only that he is disposed to Shew our prisoners every Act of Kindness and to grant every favour to our people that is asked of him. The motive is easily Seen into; had this line of Conduct been pursued four or five years Ago, it might have proved fatal to our liberties, but it is now too late, and must be looked upon as proceding from meaness rather than Humanity.

Our Treasury is lowe. What will be the Consequence if from the Supineness of the States our bank should fail? And what is to support it if the Taxes necessary for its Support should be withheld? Of the last requisition little or nothing has been paid in. I inclose you the papers of today. We are well. Our love to you and the Children, farewell, Yrs. J H

RC (MdHi: Hanson Letters).

[1] Not found.

Samuel Osgood to John Avery

Dear Sir. Philadelphia June 12th. 1782

I have Just put pen to Paper tho we have nothing of Importance here—our Fears, on Account of the french Fleet are very considerable. It seems extraordinary here that we have not yet received the french Account of the Engagement on the 12th of last April which is this Day Two Months since. We still hope that, notwithstanding the french have probably suffered very severely, the English also were in that Engagement very roughly handled. I am afraid it will be an unfortunate Matter to the french & Spaniards, as it may have a Tendency to render more impracticable the intended Attack upon Jamaica, if not totally prevent their attempting to execute their Plan. I hope before this comes to Hand you will have recd. a more particular as well as a more favourable Account of the Action than any we have here.

I hope in a short Time to have the Pleasure of seeing my Friends in Massachusetts, here I cannot stay; not for Want of Health, which I enjoy in a tolerable Degree at present: But for Want of the Means to continue it. I have been this Week honored with a Draught on the Treasurer made last January returned for non Payment. I should have been very happy to have had a single Line from any Body informing me of the true Reason why it was returned—there can subsist but two Reasons; either I have drawn for two much in the Course of the last Year; or, the Treasurer was not able to discharge it—either of which Reasons are sufficient to make me exceeding anxious to return. Return I must—Because I cannot now ask a Gentleman in this City to take a Draught upon Boston, or rather our Treasurer. And I cannot live here without the Means of living. I wish for no more than a decent support—And the whole Amount of my Draughts are considerably short of that. However I feel perfectly easy because I am entirely willing to be here or at Home, or any where else. I ask no Favors. If I can be useful to my Country it will afford me Pleasure in any Situation. If I cannot I wish to live retired; it is a Life that pleases me most.

I am, Dear Sir, your very sincere Friend and humble Servant,

Samuel Osgood

RC (M-Ar: Revolutionary War Letters). Addressed: "John Avery Esqr., Secretary of the Commonwealth of Massachusetts, Boston."

Samuel Wharton to John Dickinson

Dear Sir Philada. June 12 1782

I was honored with your Commands of Sunday, and immediately did what was necessary about the Books, and Blank Commissions. Colonel Pope will deliver Them to you. I applied this Morning to the War office for the two Brass Cannon, which your Excellency mentioned to Me, and am sorry to send an Answer, which you will find in the within Note.[1] I then spoke to Mr. McKain to employ his Interest with President Moore, for two of this State's Brass Twelve pounders. The Result of his Enquiry shall be transmitted by the first Opportunity. We have no News, except what you will see in the within Papers. There is a Report here, said to come from the Jerseys, purporting, That Sir Guy Carleton has determined to deliver *Lippencut* to General Washington. I flatter myself with being able to send by the next Conveyance, for the use of the Legislature, some *secret* Resolutions of Congress.[2] Mr. Thompson, I hear, slightly objects, But I hope, I shall be able to quiet his apprehensions. Your usual Temperance with Exercise & Change of Air, I trust, will reestablish your Health. I shall very frequently call upon Mrs. Dickinson, and from Time to Time acquaint you with her, and Miss Sally's Health.

I am with sincere Respect and Esteem, Dear Sir, Your Excellency's most faithful, and most obedient Servant,

Saml. Wharton

RC (PPL: Logan-Dickinson Papers).

[1] Wharton inclosed a note of this date from the assistant secretary at war William Jackson informing him that the two "brass twelve pounders . . . would not answer your purpose as they are battering cannon and weigh 2200 lbs. each." Logan-Dickinson Papers, PPL.

[2] It has not been determined which "*secret* Resolutions" Wharton intended to send Dickinson.

John Lowell to Rebecca Lowell

Philadelphia June 14th. 1782

Mr. Sears who has been a Fellow Lodger with us sets out for Boston this Morning. He will call on you with this & inform you that he leaves me in the most perfect Health. This will be equal to a long Epistle to my beloved Friend, but to me would not supply the Place of that Teté at Teté which I have brought myself to enjoy every Time I set down to scribble familiarly to you,[1] tis for this Reason I have postponed the descriptive & narrative Subjects which would have afforded me at all Times Employment for the Pen an Hour or two but, which even if I had given Play to the warmest Powers of my Imagination would have been in some Sense only on Matters of Indifference & would not have led me to that Effusion of tender sociality which gives me the highest Relish in the Expression & I venture to depend on it is tasted with as keen a Gout where it is received. I am now looking out with eager Impatience for Mr. Jackson. I have for so great a Part of my Life been used to an unbounded Communication of Thought to a faithfull Bosom that when I cannot have that near me which from every concurrent Cause furnishes the best Repose for the Mind after Fatigue or Enjoyment. I feel too great a Vacuity to be supplied even tolerably by any other Substitute than its next best Counterpart a tried and valuable Friend—But my Impatience has still another Source. I expect a second Letter from my dearest Girl. I hope to receive a Confirmation of her established Health & an Assurance that it shall be guarded by Care & attention. Mr. Jackson's Departure has been so long foreseen & viewed as the Mode best calculated to convey Intelligence that I flatter myself with receiving almost a volume by him—if I am disappointed in the Size of it I hope you will add a Supplement by the next Opportunity.[2] I believe I shall not purchase a Carriage here. I have seen none the air of which has pleased my eye & as Taste is factitious depending altogether on Habit & Fashion I conclude the best I could procure would disappoint the Expectations of my Friends. If you think best you may engage one to be made if I do not contradict it within a Fortnight after Consultation with Mr. Jackson. Almost one half the Time is gone which was stated as the Interval of our Meeting, I feel in no Sense shaken in my Resolution of Punctuality nor any new Motives for wishing to alter them even if they were now to form & Business & your Situation were both out of the Scale. I have met with no Disgust here either in my Business or Society, but like most other Theatres when you are once behind the Scene the Movements appear so little extraordinary that the Edge of Curiosity once abated every thing appears common. There appears to me to be but few great & not many little People among us—they are generally of the middle Size. I gave Messrs. Root & Montgomery who are Members of Congress & gone to our State on Business Letters to several of my Friends. I omitted to write to you as I had written the same Day & they expected to be sometime on the Road. I have since wished I had introduced them to you. If they have not returned before this reaches I wish you would invite them to Tea or Dinner for their Sakes & mine. I send two Pincushions for Nancy & Sally. They are not very valuable but they will receive them as the Tokens of an absent & affectionate Father who promises himself much Enjoyment from their Virtues. Providence having given them the Power of being good & of Consequence Happy but more of being agreeable & rendering others happy. My Love to the other Children—send my affectionate Remembrance to Mr. & Mrs. Cabot & our other Friends near them—the same to your Father, Brothers & Sisters. I need not ask you to accept, you cannot reject the same, only at a much higher Degree on the Thermometrical Scale from your, J Lowell

RC (MH–H: bMS Am 1483).

[1] Lowell had recently written to Rebecca on June 11 and 12. bMS Am 1483 and 1659, MH–H.

[2] In his June 11 letter to Rebecca, Lowell had expressed his chagrin at Jonathan Jackson's delayed departure for Philadelphia in the following terms. "I am almost tempted to wish that Mr. Jackson had never entertained the Idea of coming here highly as I expect to enjoy his Company. I am sure I wish he had not communicated that Design to my best beloved girl for the Knowledge of so good an Opportunity has prevented you I am afraid from affording me the gratification which I should otherwise had recd. by your Letters. Twenty People at least & among them two Posts have arrived from Boston since I left it & I hear by several that I am to have another Letter by Mr. Jackson but these bring me none." bMS Am 1483, MH–H.

Charles Thomson to Robert R. Livingston

Office of the Secretary of Congress
June 14. 1784 [1782][1]

Dear Sir,

The letter to his Most Christian Majesty as reported has been agreed to.

I enclose a copy that you may have a draught prepared. It is the pleasure of Congress that it be signed by the President and countersigned by you and that the Seal of the United States should be used in sealing the letter.

With the greatest respect, I am, Dr. Sir, Yours

Cha Thomson

FC (DNA: PCC, item 55). In the hand of Charles Thomson.

[1] This letter was misdated—Congress was in adjournment June 14, 1784. Furthermore, it seems clear that the document enclosed for Livingston was the letter of condolence to Louis XVI (concerning the death of his aunt) adopted by Congress on June 13, 1782, for which see *JCC*, 22:327–28.

Theodorick Bland to St. George Tucker

Dr. Tucker (No. 7) Philada. June 17th 1782

The last southern Mail having been Rob'd in Maryland between Baltimore & Bush Town near Gun Powder falls renders it unsafe to communicate any intelligence of Importance by that conveyance except in Cypher. This will apologize for my not speaking on any political subject, as I have not time to write in Cypher by this post—nor indeed is there any thing of consequence worth communicating, except that fifteen sail of Vessels are arrived at Baltimore with a considerable Qy. of Specie on board on Private account for this state and Maryland—*none for Virginia*—how lethargic are our countrymen in commercial matters! I hope Congress and the States will fall on some effectual means of detecting the Mail Robbers, and soon again open our communication—do not let this disaster prevent your writing on common Subjects, nor on political ones, as you have access to the Cypher we use—it is only begining in time.

Ask Innes if he is desirous of accepting the office of Judge Advocate Genl. of the American army—the Pay is about one hundred & twenty dollars per month. I have taken the Liberty to Nominate him for that office there are three others in nomination—let me know by return of Post his Sentiments.[1] I thought it wd. suit him—it is an office of great respectability *now* in our army, and a tolerable genteel appointment. I am Dr. Tucker Yr. Sincere friend,

Theok. Bland

RC (ViW: Tucker-Coleman Papers).

[1] Although the journals do not indicate when Bland nominated James Innes for the position of judge advocate general, it was probably shortly after Congress received notification in early June of John Lawrence's resignation. Congress did not act immediately, however, choosing instead to await the report of the committee appointed June 11, and chaired by Ezekiel Cornell, "to consider the most just and practicable means of reducing the expenditures of the United States in the several departments"—a committee whose duties were assigned on June 25 to another Cor-

nell committee charged with considering "the propriety of appointing more brigadiers." See PCC, item 186, fols. 34, 38; and Washington, *Writings* (Fitzpatrick), 24:301–2. When Washington complained to Lincoln on July 3 that the "non-appointment of a Judge Advocate is extremely injurious to the service," Congress promptly elected Innes, but delayed transmitting his appointment on July 10 until Cornell's committee could make a special report on "the pay and emoluments proper to be allowed a judge-advocate." The following day Congress adopted the committee's recommendation that the judge advocate's salary be reduced to $75 per month with allowances for subsistence, servant, forage, and wagon. Innes declined the appointment, however, and on September 18 Congress elected Richard Howell who also declined to serve. Finally, Congress responded to Washington's reminder that the deputy judge advocate, Lt. Thomas Edwards, had been discharging the duties of the entire department the previous three months by elevating Edwards to the post on October 2. See *JCC*, 22:378–82, 23:572, 586, 629, 632; and Washington, *Writings* (Fitzpatrick), 24:392, 25:145, 239.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir, Philadelphia, June 17th, 1782

Your Excellency's Letter of the 7th Instant was Recd. the 13th.[1] We should be happy to hear that Messrs Montgomery & Root have been so Successful in Executing their Trust as to produce great & Good Effects to the United States.[2]

The Copy of the Act of Assembly Transmitted by your Excellency impowering Congress to levey & collect Duties on Importations in our State was Read in Congress and seemed to Meet with their General Approbation. The Caution therein taken to Preserve our own Rights & to Prohibit the Expenditure of any Part of the Money so Collected, upon the Half-Pay-Establishment, was particularly pleasing to some. A Committee is appointed to Draught an Ordinance to Regulate the Collection but this Cannot be compleated untill Rhode Island and Maryland have Passed similar Acts, the other States having already done it. The only Intelligence yet Received Concerning the Engagements between the Fleets in the West Indies is through the Letters of British-Navy-Officers which leaves us still in the Dark as to the Truth. We are at a Loss to Conjecture what is the Object of Sir Guy Carleton in sending an Armament to the Eastward, no Account of their Opperations being Yet Received. No Intelligence from Abroad has been had since our last. The Condition of the Public Finance Requires the most Effectual Exertions of the Several States. The Financer's Notes are in full Credit & Paid on Sight, but the Discount upon them in some of the Eastern States Demonstrates the Necessity of a Fund in Every State to take up those Bills when Presented, which would take from Speculators their Arguments for a discount (viz) the Great Delay, Expence, and

Risque of Transportation of those Bills to Philadelphia; and of the Money Back to Boston, &c.

We are, with the greatest Esteem & Respect, Your Excellency's Most Huml Servts. Elipht Dyer

Benj Huntington

RC (Ct: Trumbull Papers). Written by Huntington and signed by Huntington and Dyer.

[1] Governor Trumbull's June 7 letter to President Hanson and the enclosed act of the Connecticut Assembly authorizing Congress to impose a five percent impost on certain imports were read in Congress on June 14. See *JCC*, 22:333n; PCC, item 66, 2:236–43; and *Public Records of Connecticut*, 4:153–54.

[2] "Col. Root & Mr. Montgomery arrived yesterday," Oliver Ellsworth observed in a June 7 letter to Benjamin Huntington, "& had an audience & long Speech made before both Houses which I wish may be of some use to stimulate to the necessary exertions which are far too languid." Bright Collection, NRom.

Eliphalet Dyer to Roger Sherman

Sir Philadelphia June 17th 1782

I receivd your kind favor of the 7th Instant. We arrived at this place in about 9 days after set out from Hartford, tarryed one day at New Windsor being the sabbath. Find Congress Composed of an Agreeable set of Gentlemen, affairs goe on with Decency & Harmony, tho far from that Croud of Important business which formerly pressed on Congress. The principal Objects are to lessen our Expenditures as far as possible, tho I find the Establishments in many departments much too high which am Informed arose from their being made at a time when the New Currencies of paper bills were to take place tho on one hand Esteem'd as solid Cash in Nomination yet at the time known as a fact that they were not of but half the real Value by which means a high sum was given which they find difficult to reduce even when it must be paid in specie. The regulating the Courts of Appeal &c. are under Consideration, also a Comtee Appointed to make a draught for establishing and Collecting the Impost proposed to be laid, we have recievd the Act from our Assembly, but there are still two or 3 States behind, tho we hear they have passed the Necessary Acts yet they are not transmitted to Congress.

The Action between the French & English fleets in the West Indies has undoubtedly turned out to the disadvantage of the former. The French we believe have lost 7 or 8 Capital Ships among which is the Ville de Paris taken with the Admiral de Grass, tho the Accounts are different as to the Consequences, by some Accounts we are Informed that the French have since made a Junction with the Spanish and thereby will be able to maintain such a Superiority in the West Indies as to proceed in their designd Opperations, but by other Accounts, that they are so disconserted by this Severe blow, as totally to frustrate their designs against Jamaica &c but on the whole no Accounts are as yet receivd from the French Commander or any of that Nation who were in the Action. Our Financiers bills or Notes are at present in high Credit in this City pass as ready as silver & gold and at par, change given in hard money without the least hesitation; but Alas how long can this last, except the States Collect the taxes required of them in some good proportion and in season. Am with sincere Esteem Yr Hle Servt Elipht Dyer

[*P.S.*] Coll Roots leaving Congress the time he did is Very Unhappy as it prevents any one Step in our dispute with Pensylvania even to settle preliminaries or Concessions.[1] hope he will be hastned back.

E D

RC (CSmH: HM22597). Addressed: "Honble. Roger Sherman, New Haven, Connecticut."

[1] See Connecticut Delegates to Jonathan Trumbull, June 5, note 3, and July 1, 1782.

Benjamin Huntington to Andrew Huntington

Dear Sir Philadelphia June 17th. 1782

I Recd yours by Mr. Brown with the Accounts it Covered and shall take the first Opportunity to lay it before the Committee of Congress Appointed to Receive all Such Matters and will Acquaint you with the Result as soon as Known.[1] No News of Importance has been Recd of Late nor any Accounts of the Engagements in the W. Indies between the Two Fleets but what Comes through the Incomparable James Rivington.

I am Sir your Most Huml Servt, Benj Huntington

RC (MHi: Huntington-Wolcott Collection).

[1] See Huntington to Huntington, July 13, 1782.

Elias Boudinot to Lewis Pintard

Dear Sir, Philadelphia June 18th 1782

Not a Word of News yet from the West Indies—12 or 14 Vessels have arrived in the Chesepeak from the Havanna, and one from L'Orient at the Capes. The Mail from Baltimore with all the Havanna Letters & many more as valuable has been robbed & carried to New York by several Villains.

Mr. Searle was on board the Vessel from L'Orient, she was drove on Shore by a Frigate at the Capes, the Crew & Passengers got safe on Land with the Letters, but the Enemy got the Vessel worth about £100,000 here. Mr. Searle is expected here this Evening.[1] It is certain that the French have been badly beat in the West Indies notwithstanding what your Frenchman told you, and I suspect the Jamaica Voyage is over—but I am not in the least discouraged, all will be right at last. The moment of difficulty has hitherto been the Scene of our deliverance. I am much obliged for your Care & Attention to my little Ewe Lamb. I doubt not she will greatly profit by her residence at White Hall. There will not be any more Int. pd. by Bills, so that all the Certif. are now on a Footing, wherefore I shall not proceed or give any orders for that Commodity, but Mr. R. will do the needfull as to the Pay Masters. They are drawn by him at Mr. M's request and I doubt not their certainty. Mr. R. thinks you quite right & has proceeded himself in the same line. I will call Mr. John F and get Coll Ramsays Money if practicable, and also the Rent and observe your directions. I have recd your Ballance of 55 Doll. of the Minister. Rents are falling as every thing else rises. The Merchants hang their Heads—great Fortunes must take Place of such heavy Losses.

I enclose the News Paper, that you may known what passes here.

June 19th. Last Night I had the Pleasure of seeing Mr. Searle, who had just arrived. He looks wretchedly—complains greatly—and appears much distressed. He has lost all—even his Cloaths, not even having a spare Shirt left. He had on board to the amount of about £500 Sterl. He brings but little News, excepting that he supposes our Independance was acknowledged by the Dutch as about the begining of May. This he supposes from strong Circumstances. The Dutch would have then at Sea about 30 Sail of Men of War. I enclose an Extract of a Letter from Mr. J. A. at Amsterdam, to Mr. Livingston which you must see.

An Express from Boston with a Mail from France is just arrived, but nothing yet has transpired.

Am with Love to Mrs P., Patty, Johnny and all Friends, My Dr Sir, Yours Afftly, B

RC (NNC: Scudder Manuscripts).

[1] James Searle, former Pennsylvania delegate to Congress, was returning from an unsuccessful two-year mission to Europe to obtain a foreign loan for Pennsylvania. See these *Letters*, 15:413n.1.

John Hanson to Thomas Sim Lee

Dear sir Philadelphia June 18th 1782

I had the honor of writing to your Excellency by the last post[1] and presume I Should have been favoured with line from you by yesterdays post had he not have been robbed of the Mail.[2] Am in hopes your Excellency Will acquaint me by the first Opportunity whether you have drawn £400 red money for me Agreeable to a former request. I have nothing worth Communicating and therefore Shall Conclude with assuring you that I am with the highest esteem, Your Excellency most Obedt Servt, John Hanson

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] Not found.

[2] Hanson also reported this theft in a brief letter of this date to Philip Thomas, adding the following explanation: "The paragraph inserted in the papers of last week of a packet being taken and Carried into North Carolina with dispatches from New York has occasioned it is supposed the attempt upon the post in hopes of regaining those dispatches, but they have for the present been disappointed." Hanson Collection, MdAA.

James Madison to Edmund Randolph

Dear Sir Philada. 18th. June 1782

I recd. no letter from you yesterday nor shall I receive any for that week unless it be through the channel of Rivington's Gazette, the Post having been robbed of his mail on Saturday evening last in Maryland.[1] I hope your letter did not contain anything not in Cypher which is unfit for the public eye. The policy however wch. seems to direct Carlton's measures renders it probable that he will decline the mean expedient pursued on such occasions by his predecessors for giving pain to individuals.[2] It will be proper for us to take from this accident an admonition to extend the use of our Cypher.

The destination of the fleet which sailed lately from N. York is not yet known. No official intelligence from the West Indies is yet come hand. No intelligence of any kind from Europe. The business of Congress is too un[in]teresting to merit recital.

The trade with N. York begins to excite general indignation and th[r]eatens a loss of all our hard money. The continued drains which it makes from the bank must at least contract its utility, if it produces no greater mischief to it. The Legislature of N. Jersey are devising a new remedy for this disgraceful & destructive traffic, and a Committee of Congress are also employed in the same work.[3] I have little expectation that any adequate cure can be applied, whilst our foreign trade is annihilated & the Enemy in New York make it an object to keep open this illicit channel.

Adieu J.M. Jr.

[*P.S.*] I have written to Mr. Jones.[4] If he sd. not be at Richmond open the letter.

RC (DLC: Madison Papers). Madison, *Papers*, (Hutchinson), 4:350.

[1] For Madison's report on the mail robbery and the subsequent action taken by Congress and the affected states, see John Hanson to Certain States, June 19, 1782, note 2.

[2] Madison is referring to the British practice of publishing intercepted letters in Rivington's *Royal Gazette*.

[3] For the New Jersey legislature's "remedy" and Madison's June 19 committee report on illicit trade with the enemy, which was adopted by Congress on June 21, see Madison, *Papers* (Hutchinson), 4:351n.7 and 351–53. See also Virginia Delegates to Benjamin Harrison, April 2, note 1; and John Hanson to the States, June 24, 1782.

[4] Not found.

Virginia Delegates to Benjamin Harrison

Sir Philada. 18th June 1782.

The Post having been robbed of his mail on his return through Maryland, we had not the honor yesterday of receiving any letter from Your Excellency. If it reaches us at all it will probably be through the channel of the New York Gazette.

Since our letter of the 4th instant which inclosed a proposition from {Count Beniouski some circumstances have come to our knowledge}[1] which induce us to {believe} that {altho' for the reasons stated in our letter he is not to be classed with common adventurers yet his professions and undertakeings greatly exceed his resources for fulfilling them}. In particular we have decisive evidence that [*he*] {cannot command the aid of the French Court in raising and transporting his legion and it is of itself evident that no private funds can be equal to such an expence}. We do no injustice to {his character in adding that the effect of the rejection of his plan by Congress has betrayed a temper which is very far from enhancing our esteem for him}.

The destination of the fleet which lately sailed from N. York is still unknown; nor have we reced. a word of intelligence from any other quarter.

We have the honor to be with the greatest respect & esteem Yr. Excellency's Obt. & humble Servants. J. Madison Jr.

Theok. Bland Jr.

P.S. The Letter from Oliver Pollock with the bill inclosed in it was put into our hands by the Gentleman in whose favor the bill is drawn, with a request that we would inclose it to the Executive. As we shall probably be applied to here after for information on this subject we beg the favor of your Excellency to let us know the steps taken thereon.[2]

RC (Vi: Continental Congress Papers). Written by Madison and signed by Madison and Bland.

[1] Words printed in braces in this text were written by Madison in cipher. For the "proposition from Count Beniouski," see Virginia Delegates to Harrison, June 4, 1782, note 2.

[2] For the "steps taken" by the Virginia council on the enclosed bill drawn on Philadelphia merchant Thomas Irwin, see Madison, *Papers* (Hutchinson), 4:349n.5.

Elias Boudinot to William Livingston

Dear Sir Philadelphia June 19th, 1782

In this dearth of European News, I doubt not the Contents of a private Letter from J.A. in Amsterdam of the 11th Aprill will be agreeable, altho' it is not made public here. "The rapid revolution in the Minds of this Nation, and the unaccountable Ardour & Unanimity, which has at last seized upon them for connecting themselves with America, have occasioned me so many Visits to recieve and return, and so many Complimentary Letters to answer, as added to other more important affairs, have been more than I could perform. Five Provinces, Friesland, Holland, Zealand, Overyssel & Utrecht, have already decided with an Unanimity that is astonishing; and the two others Guilderland & Groningen it is supposed will determine as soon as they meet, which will be the 16th Current so that I suppose we shall have one ally more in a short Time."[1] By another Letter, this short time is affixed at the first of May.

I wrote your Excellency by last post, enclosing the Minister's answer to the address of the Legislature, which I hope got safe to hand.[2]

I enclose (least it should be forgot) the acct of the Messenger I sent to your Excy with the News of the Pennsylvania Troops revolt, which the Man is frequently pressing me for.

I have the honor to be with great Esteem, Your Excellencys Most Obedt Hble Servt.

Elias Boudinot[3]

RC (NjP: Boudinot Papers).

[1] Boudinot was quoting John Adams' April 11 letter to James Searle, which is in the Adams Family Papers, MHi.

[2] Boudinot's letter "by last post" has not been found, but for the chevalier de La Luzerne's "answer to the Legislature" for its congratulations to Louis XVI on the

birth of a dauphin, see Boudinot to La Luzerne, June 10, 1782, note 2; and *Votes and Proceedings of the General Assembly of the State of New-Jersey* [May 15–June 24, 1782], p. 33, DLC(ESR).

[3] Boudinot also wrote to his daughter Susan this date, discussing the qualities of the well bred woman and especially the importance of "writing well, I mean with elegance & perspicuity—with ease & softness of Expression." "If you read the Letters of Mr Pope, Mrs. Rowe and many others," Boudinot admonished Susan, "you must at least be lead to wish to imitate these brilliant Examples. Their easy Manner—purity of Style—correctness in Composition—Elegance of Thought—and delicacy of Sentiment must have so sweet an Effect on the human Mind, as to give it the strongest Bias in Favour of Virtue, Morality, Benevolence, & Religion." Stimpson-Boudinot Papers, NjP.

John Taylor Gilman to Meshech Weare

Sir, Philadelphia June 19th, 1782.

This is Just to Inform you that I Arrived here the 17th Instt.[1] The Southern Mail was taken, a few days Since in which it was said were many Letters of Importance.

I find great Complaints for want of Money, a very Considerable part of the Specie Imported, is carried to New York to purchase Goods of our Enemies which will have a direct Tendency, not only to drain the Country of Specie, to Assist our Enemies & give Offence to our Friends, but (in my Opinion) to protract the War, The Number of Persons who feel the (private) benefit of this Trade is so great, that it is the Opinion of some any further Attempts to prevent the Same would be Idle. It is said a Vessell was lately Seized going from New Jersey to New York with £14,000 Specie on board. I hope New Hampshire will soon have a Representation in Congress as it is of much Importance not only to them, but to the Union that every State Should be Represented. I believe great Dependance is made on Taxes from the Several States, but you will, without doubt be particularly Informed on this Head, as well as others by the Committee from Congress.

With due Respect, I have the Honor to be, Your Most Obedt. servt. John Taylor Gilman

RC (MHi: Weare Papers).

[1] Gilman took his seat in Congress on June 20. *JCC*, 22:338.

John Hanson to Certain States

Sir, Philadelphia June 19th 1782[1]

Inclosed your Excellency will receive an Act of Congress of this date, requesting the states of New Jersey, Pensylvania, Delaware And Maryland to pursue the most likely measures for recovering the Mail, of which the southern post was robbed on Sunday the 16th, within five Miles of Harford in the State of Maryland.[2]

With Sentiments of esteem & regard, I have the honor to be, Your Excellencys most humble Servt, John Hanson Presidt

RC (PHi: Dreer Collection). Addressed: "The president of the State of Pensylvania." Endorsed: "Read in Council June 20, 1782."

[1] The LB of this letter, which is addressed to the executives of New Jersey, Pennsylvania, Delaware, and Maryland, is misdated "29th June 1782." PCC, item 16, fols. 148–49.

[2] For the adoption of this resolve, which was apparently drafted by James Madison, and the response of the states in offering rewards for the apprehension and conviction of robbers of the United States mail, see *JCC*, 22:337; PCC, item 61, fols. 113, 507; and Madison, *Papers* (Hutchinson), 4:353–54. The capture of those responsible for intercepting the southern post near Harford, Md., on June 16 was subsequently announced in the August 7 issue of the *Pennsylvania Journal* and the August 10 issue of the *Pennsylvania Packet*.

John Lowell to Rebecca Lowell

Philadelphia June 19th. 1782, Wednesday Morning. "If my dearest Girl you have numbered the Days since we parted you will find when you receive this that one half the Time is elapsed which is to mark our Separation. Tho I have had no adverse Accident since I began this Career there has been no Object presented to my advancing Expectation that has afforded me half the Satisfaction which this Idea produces . . . . Last Evening I recd. a Line from Mr. Jackson dated only a Week since in which he informs me of his Disappointments. I dare say he has not felt them half so keenly as I have. I wish for his Society, I expect much Enjoyment from it, but to have Post after Post arrive, Messenger after Messenger & all empty handed to me because Mr. Jackson is disappointed is almost too much for my Patience . . . . I have recd. much fewer Letters than I expected from Boston. I receive very kindly the Attention of Mr. Gore, Mr. Amory & Mr. Sohier in this way: Mr. Gorham has written me two Letters & these with two from Bror. Russel are all I have recd." Concludes "that altho we have had and at the present have very hot Weather, I never felt more perfectly well in my Life."

RC (MH-H: bMS Am1659).

John Morin Scott to George Clinton

Sir (Official) Philadelphia June 19th 1782

When I accepted of my last appointment as a Delegate, the Legislature were sufficiently apprised of its being on condition, that I should not spend the summer here.[1] Having by experience found that my constitution will not bear the intemperate heat of this climate, I think it therefore my duty to inform your Excellency that notwithstanding Mr Duane's arrival, which I expect every hour, the State will after a fortnight from this day, be unrepresented, I having fixed that period for my departure from this City, on my return for our State. Tho' I still enjoy my health by paying the greatest attention to it; yet I am convinced it will not continue here thro' the season. I have a Wife who is now infirm and Children and Grandchildren who depend much on me. It is my first duty, however I may absent myself from her, when she is in health, to be present with her in the hour of indisposition. A duty which as far as the will of Heaven will permit, I am determined to perform most religiously. Besides my private concerns, which suffer much by my absence, require my immediate attention. And tho' on this score I by no means regret the sacrifices I have made of them for about 7 Years past on the Public Altar; Yet a continuance of those sacrifices when unnecessary, would be criminal. Out of 28 months I have served 14; and of this Year more than my proportion. We have two other Delegates[2] who should I continue will not serve one moment of the Year. One has a small family, the other none to provide for. They can therefore be spared from home with less private injury than I can; and I am resolutely determined against doing their duty; especially as I have already done more than my own. They will be obliged to submit only to three months absence. At the time I have fixed for my return I shall have been absent five months. Judge then Sir, if I can deservedly incur censure should I return home without being relieved; or rather whether, if the State should by that means be unrepresented, they would not justly incur it.

With respect to Mr. Benson in particular, I cannot but express my astonishment. Mr. Duane informs me by letter, that this Gentleman has absolutely declined attending; and that by this means he is compelled to it himself.[3] Surely Mr Benson has not forgot his positive engagement to both Houses to accept of the honor of their appointment, if they would dispense with his non-attendance till some time in May, lest he should, Sir, be pleased to put him in mind of it; and also that above a month more has elapsed. I believe the Legislature will remember his engagement.

I am informed that you have issued your proclamation for convening them on the 3d of next month. On this occasion reasons of a public conspire with those of a private nature, to call me home. I have many things of public concernment to communicate & some to propose; which I can neither do fully nor safely by letter. I am therefore clearly of opinion, that I have a call of public duty to the Legislature; and I am determined if not providentially prevented to obey it. I have nothing further to communicate to your Excellency to delay subscribing myself, Your Excellency's most obedient humble Servant,

Jno Morin Scott

Tr (PHi: Losing Papers).

[1] Despite Scott's protest, he remained at Congress until Ezra L'Hommedieu arrived to relieve him in late August.

[2] That is, Egbert Benson and Ezra L'Hommedieu.

[3] James Duane also explained his decision to return to Philadelphia in the following letter to Philip Schuyler of June 4, and arrived to resume his seat in Congress on June 24.

"My Journey to Philad. is decided. Mr. Attorney General [Egbert Benson] declares he cannot attend without deeply injuring his private Affairs: and Mr. Lhommedieu has had lately a long Session with the Assembly. *I can* have no Objection! *Young* and *rich* and *vigorous*, and of *little* Consequence to my Family, why shoud I fear the summers Heat in an unhealthy Climate? Is not the *Honour* of serving as a member of Congress—tho' so many others have shaken it off—quite a sufficient Consideration for *me*, and abundantly productive of Peace and Comfort to *my* Family, of Improvement and Instruction to *my* Children! and will it not lay a sure foundation for plenty and Affluence in old Age? I am surprised so wrong an Estimate is made of this sovereign office by Gentlemen who, in other Respects, seem to have no marks of Insanity about them: and indeed Judge of other things with the utmost precision! but enough of this—I *will* go! The State *shall not* be unrepresented: tho' I had some little pretensions to have chosen my Tour in the Fall, and it was the only Indulgence I claimed." Schuyler Papers, NN.

Samuel Wharton to John Dickinson

Sir

Philadelphia June 20 1782

I have just heard of this Opportunity by Captain McCleane. I send your Excellency the News papers, and wish to convey a few particulars, which have occurred in Congress, since my last. Sensible of the Pleasure it will afford their Constituents, to have the publick accounts frequently inspected, Congress has resolved, That there shall be standing Committees appointed, as follow.[1] One for the Examination of the Minister of Finances Department; One for the Secretary of Wars; One for the Minister of Foreign Affairs, One for that of the Marine, and One other for the Department of the Post Office. These Committees are to report twice in each year, and it is expected, much Benefit will result to the United States by these stated Checks upon the separate Boards. Yesterday a Letter was read in Congress from Mr. John Adams, dated Amsterdam the 11th of April last to a Gentleman in this City,[2] wherein was the following

Paragraph. "The rapid Revolution in the Minds of this Nation, and the unaccountable Ardor and Unanimity, which has at last seized upon Them for connecting Themselves with America, have occasioned Me so many Visits to receive, and to return, and so many complimentary Letters to answer, as added to more important Affairs, are the Reasons why I must be brief at present. Five provinces Friesland, Holland, Zealand, Overyssell, and Utrecht have already decided with Unanimity, That is astonishing, and the others, Guiderland and Groningen, it is supposed, will determine as soon, as They meet, which will be the 16th Current, so that I suppose, We shall have One Ally more in a short Time." I very sincerely give your Excellency Joy upon this agreable Event. The Completion of a Treaty of Commerce with the Dutch, if properly conducted, may be productive of immediate, and great Advantages to the United States. It should be the zealous Endeavour of our Minister at the Hague to profit by the Ardor and Unanimity, which He says prevailed in the United provinces, to excite Them into liberal Loans of Money to Us. I am of Opinion, It might be easily done, and in a Way, That would be very distressful to the British. They owe to the provinces, at least Thirty Millions of Pounds Sterling. An immense Sum! A tenth Part of it lent to America would be of unspeakable Use to Us. How wonderful has been the Effect, in *active* Riches, of the Industry, and Frugality of the United Provinces. Their Citizens have placed in the publick Funds of France since 1769, Twenty Eight Millions Sterling. About fifteen Millions in those of the Emperor, besides, vast Sums lent in Germany, Denmark, Sweden & Russia. The United Provinces, as a Nation, owe a publick Debt to their Citizens of not less than forty Millions. On the whole the moneyed property of the Inhabitants of these provinces is not less, Than One hundred and thirteen Millions, of pounds Sterling, exclusive of their Capital in Trade, the circulating Money, and what is in the great Bank of Amsterdam. Astonishing Riches for a Country, whose population does not exceed Two Millions of People. If Captain McCleane should not leave Town to Day, and any further News, worth your hearing, should occur, I shall trouble you again.

I am with a perfect Respect, Sir, Your Excellency's most Obedient and most humble Servant, Saml. Wharton

RC (PPL: Logan-Dickinson Papers).

[1] Congress had resolved on June 17 to appoint five committees to "enquire fully" into the administration of the departments of finance, foreign affairs, war, marine, and the post office. Wharton was appointed on July 2 to the committee on the marine department. *JCC*, 22:334, 370.

[2] See Elias Boudinot to William Livingston, June 19, 1782, note 1.

Samuel Wharton to William Temple Franklin

Dear Sir[1] Duplicate June 21 1782

I have written four Times to your Grandfather since my Arrival here,[2] and have not Once had a Line from Him. There must be infidelity some where. Pray present my best Respects to him, and mention, That I shall soon write him a long Letter, and afford Him a particular Account of Transactions here, and especially in a Society, of which He was a Member. In the Chapter of Accidents, Three persons who met in Europe, are thrown together in one Chamber.[3] One of Them agrees no better Than He did, with Cassius on the other side of the Atlantic, as He (Cassius) acts exactly as He did there, which you may remember, gave occasion to Poor Richard, to say "If He cannot find a Quarrel wherever He goes, He will be sure to make One."[4] He must persue a different Mode of Conduct, than What He does, If He means to become a leading Person. His Predilection is clearly in Favor of the Adverse party. He is strongly attached to it, and will do singular Mischief to our steady, good Friend, If not most diligently watched. There is not the least Doubt of his intire Devotion to a certain insidious Peer, and Where He hates, and would ruin a Cause, He (Cassius) would exert his utmost Efforts to cooperate with Him. Much could be said upon this Subject. But Prudence forbids it. Hints can now only be dropped.

I have a Favor to ask of you, and which I desire your Friendship will see accomplished soon for Me; and immediately after the articles are finished, send Them either to Nantes, or L'Orient, and desire your Correspondents to send Them by the first Vessels bound to this Place. Let only *One* of them, come by a Vessel. To be more explicit, I request you will go to the Hotel at which I lodged in Paris, and desire the Master of it, to make immediately four dress wigs exactly like the last, which He made for me, A pattern of which, He kept at my Desire.

You will oblige me by presenting my Compliments to him and his Wife, as They are a worthy Couple. Two of the Wigs are for a leading Person, and he has been told, you would be written to for this Purpose. With my sincerest Regards & Respects to the venerable, good Man, I remain in haste, dear Billy, Your affectionate Friend

[*P.S.*] as soon as I know the Cost of the Wigs, The Money shall be remitted to you in a Bill, or paid to your Relation here.

RC (PPAmP: William Temple Franklin Papers). Addressed: "A' Monsieur Monsieur Franklin (fils) á Passi prés, Paris." In Wharton's hand, though not signed.

[1] William Temple Franklin (1762–1823), grandson of Benjamin Franklin and secretary to his grandfather in Paris, 1776–85. See these *Letters*, 5:129.

[2] That is, since his return to Philadelphia from France early in 1781, none of which was probably written after Wharton began attending Congress in February 1782, as he promises herein to write to Franklin soon about congressional transactions.

[3] Apparently Wharton, Ralph Izard, and Arthur Lee.

[4] Undoubtedly a quip Franklin had made in Paris about Arthur Lee.

David Howell to Moses Brown

Sir,[1] Philadelphia June 23 1782.

The very kind concern you have ever discovered for my welfare, from our first acquaintance induces me to write you this Letter. It is intended as an acknowledgement of the past rather than as a Solicitation of future favours.

I find, from a kind & general Invitation from James Pemberton, that I have been named to him by somebody to my advantage; I have not yet been at his House, nor at the House of any other Friend in the City; but I propose to go to see him & others soon.

I am well suited with private Lodgings at Captn. Jos. Anthony's, in Pine Street, betwixt Front & 2d Streets. Directly on the other side of the Street stands a Friends Meeting House. I could throw a Bisquit out of my Chamber Windows into the Meeting House. The plainness of the building & its use being continually before me might suggest proffitable reflections, were my mind in a suitable frame to attend to and retain them; but it is otherwise, my present business engrosses my attention. I have been to Church, Presbyterian & Baptist Meetings; and this day, being the first of the week, I chanced to incline to go to Quaker-meetings. I attended in the forenoon at the House before mentioned & expected to have heard Nicholas Wall, but did not; two men, however, & one Woman spoke in the Meeting, and Spoke *the truth;* but to me it was like water spilt on the ground: In the afternoon I attended at Meeting in Market Street, but nobody spoke.

Thus you may account for this Letter at this time.

It will be the midst of Hay time before you will receive this; I wish to have my poor little boys kept steady at School, & I desire, as I did at my departure, that some steady hand may have the charge of getting my hay—that Mrs Howell do not worry herself with the care of it, her health will not permit it. D Howell.

RC (RHi: Moses Brown Papers).

[1] Moses Brown (1738–1836) a Providence, R.I., merchant and Quaker abolitionist and philanthropist, later worked to introduce cotton technology into America and became a leading textile manufacturer. *DAB*.

John Hanson to the States

Sir, Circular. Philadelphia, 24th June 1782.

Your Excellency will receive enclosed herewith a copy of an Act of Congress of the 21st inst. recommending to the several States to adopt the most efficacious measures for suppressing all traffic and illicit intercourse with the enemies of the United States.[1]

The injurious consequences, which must necessarily result from the continuance of such infamous traffic, are manifest to every disinterested Citizen, and so seriously affect our prosperity and welfare as to require the immediate interposition & unremmitted attention of your Excellency & the Legislature of your State.

I have the honor to be &c. J.H

LB (DNA: PCC, item 16).

[1] This recommendation to the states to suppress illicit commerce with the enemy was deemed necessary, according to the preamble of the enclosed act, to prevent the corruption of "the patriotism of their citizens" and the weakening "of the public credit." "Having renounced the hope of accomplishing their designs against the United States by force alone," Congress declared, the enemy was promoting an "illicit traffic" which if unchecked would provide a market for British merchandise, drain specie from the United States, render the payment of taxes "more difficult and burdensome," and discourage "honest and lawful commerce." For the adoption of the enclosed resolutions, which were largely the work of James Madison, see *JCC*, 22:333n, 340–42; PCC, item 186, fol. 36; and Madison, *Papers* (Hutchinson), 4:114–16, 351–53.

Interest in this issue is also found in the following notes of South Carolina delegate Arthur Middleton, who apparently drafted them for the June 21 debate over Madison's report on illicit trade. They are in Middleton's hand and located in a collection of his papers at ScHi.

"The Evil is deeprooted. It has affected the Vitals. It has become the Interest of Men in power to encourage it —your necessities for supporting yr. Prisoners, left a Burthen upon you by your Enemy for this very purpose, make an Illicit Trade expedient. It is in some measure Connected with your Tobacco Contracts. The Negligence or bad Designs of those who give Passports for supplying the British Prisoners open a door to it."

John Hanson to Philip Thomas

Dear Doct. Philadelphia June 24th 1782

I have received your Several letters by Doct. McKey, Mr. Bonham and Mr Snutzell. McKey delivered his himself told me he should leave Town this morning and promised to dine with me yesterday. However I understand he left Town yesterday morning without letting me Know it. Bonham I have not seen nor do I expect to see him. Mr. Snutzell has promised me faithfully to procure your medecine and Send them down by his waggon. He is going himself to head quarters to get a passport into New York to get pay for some

Bills of Exchange he purchased of British officers and which are returned protested. He is in for it I think he says to the tune of about £1000. You seem to have a good Appetite for news. I wish I could Satiate it with that that was Agreeable, but there never was a greater dearth than at present, little of any Kind stiring. The trade of this place is allmost ruined by the Enemies Cr[u]izers, hardly a vessel escapes them, there has been no arrivals from france for a long time. A few days Ago a ship from thence was chased ashore by the Enemy the Crew escaped by takeing to their Boat. The Enemy got her off and She is since arrived at New York. She was a most valuable prize a fine Copper Bottomed new Ship, and had it is said more Dry Goods on Board (and those of the very best quallity) than ever was imported into the Delaware in any one Ship, her Cargo at the lowest Computation is said to be worth one hundred thousand pounds. Capt Asgill is not yet Executed, it is expected Still that Lippencut the perpetrator of Huddys murder will be given up.

I wish Mr. P. may find it Convenient to Send the order you mention it will be most Acceptable. As to my wheat do with it as you please. Taxs's must be paid and you cant dispose of it better. I understand the last Assembly have imposed 5/ to be paid in Specie in August next, I wish it may be punctually paid, and Sent to the Cont. Treasury, it never was wanted more than at this time. I hear too that £60,000 Specie is to be immediately raised by the sale of British and Confiscated property, this tho' but a small part of our States quota will be a great help, and if the other States do as much in proportion, will keep the wheels in motion. Present our love to Mr & Mrs. Harrison. The same to yourself and the little ones, yrs.

J H

P.S. Wines of all sorts, Spirits and Sugar are raised to a most enormous price Madeira 30/ a gallon by the quarter Cask and the other articles in proportion—too high I think to speculate in and no Credit is given. If any thing Can be purchased while I am here which I think would yeild profit I will let you know.

RC (MdHi: Hanson Letters).

Charles Thomson to William Barton

Sir,

June 24, 1782.

I am much obliged for the perusal of the elements of Heraldry which I now return. I have just dipt into it so far as to be satisfied that it may afford a fund of entertainment and may be applied by a State to useful purposes. I am much obliged for your very valuable present of Fortescue "De Laudibus Legum Angliæ,"[1] and shall be happy to have it in my power to make a suitable return.

I enclose a copy of the Device by which you have displayed your skill in heraldic science, and which meets with general approbation.[2]

I am, sir, your obedient humble servant,

(Signed) Chas. Thomson.

MS not found; reprinted from *Proceedings of the Massachusetts Historical Society* 9 (September 1866): 352.

[1] Probably a copy of Francis Gregor's 1737 edition of Sir John Fortescue's *De Laudibus Legum Angliæ* (first printed in 1545), for which see the preface to the Cambridge University Press edition (1942; reprint ed., Holmes Beach, Fla.: William M. Gaunt & Sons, 1986), p. ix.

[2] The *Proceedings of the Massachusetts Historical Society*, from which this text of Thomson's letter is taken, also contains the following note by Barton concerning the design of the Great Seal of the United States.

"In June 1782, when Congress were about to form an armorial device for a great seal for the United States, Charles Thomson, Esq. then Secretary, with the Hon. Dr. Arthur Lee and Elias Boudinot, members of Congress, called on me and consulted me on the occasion. The Great Seal, for which I furnished those gentlemen with devices, (*as certified by Chas. Thomson, Esq.*) was adopted by Congress on the 20th of June 1782. Mr. Thomson informed me, four days after, that they met with *general approbation*." *Ibid.*, 9:352.

The adoption of the great seal has been recounted in great detail by Richard S. Patterson and Richardson Dougall, *The Eagle and the Shield: A History of the Great Seal of the United States* (Washington, D.C.: U. S. Government Printing Office, 1978). For Barton's and Thomson's role in the creation of the design adopted by Congress on June 20, see especially pp. 71–88; PCC, item 23, fols. 131–42, 179–84; and *JCC*, 22:338–40.

Elias Boudinot to Hannah Boudinot

My dearest Love, Philadelphia June 25th. 1782

Did you imagine that I could have been so negligent, as to have suffered the Post to have returned without a Line, acquainting you how I was. The Pleasure afforded me by indulging myself in writing to a beloved Wife, is so rich a Compensation, that I wait with eagerness for the weekly opportunity, which gives you as often the Trouble of reading my Scrawls.

I was chagrined at the Carelessness of the Post Master in sending my Letters to Morris Town, tho I presume by Mr. Pintards getting his by return of Post, you was not without yours. I also wrote to Susan and believe I enclosed it in yours. The extreme Heat of the weather has relaxed me greatly, but not so much as I expected—but the more I suffer by it, the more I am pleased that my dearest Love is enjoying a freer Air and more Comfort. As I would wish to promote Mollys best Interests, I could not have any objection against her doing every thing for herself that would tend to increase her

Happiness or future Provision in Life—and should think she ought to embrace the present opportunity was your representation of matters the whole Truth on this Subject. But she must & ought to consider every side of the Question, lest she, should involve herself in greater difficulties than she expects. A Garrison Town is a very improper Place for a young woman, especially where the officers & Soldiers have so much Power & Influence as they have in New York.

Again, there is a great Certainty, of the City's being beseiged in Case of a Fleet coming from Europe, which would render it very dangerous, as I suppose no Women or other Persons would be suffered to come within our Lines, after the Siege is began. And if it should not take Place this Summer, it must be next. Her going at this late Day in the Enemies Lines would make her hereafter very obnoxious to the americans, and perhaps expose her to be fined or otherways punished in Case we hereafter got the City, to a greater amount than any thing she could earn while she was there. This was the Case with poor Mrs. Keirny, altho' she was forced on us.

It is proper to inform her of the whole Circumstances and then she can judge for herself, and if she determines to go, we must give her every assistance in our Power.

Apropos—Has Martin been consulted—what will he say to it. May not this be a scheme to bring him to an Explanation. I begin to think Molly is a piece of a politician—a good & well laid Plan really—I am diverted with the Idea.

I read your request to Mrs. Risk—she says she has no objection, but then there's her plaging Husband in the way—and he is an ill natured fellow, that wants all to himself. He has no benevolence for his fellow Creatures. However as he talks of going to Amboy, if he calls at Baskinridge & you will return the Compliment and oblige Mrs. Risk as much, I do not know but it may alter his Sentiments. He talks of writing to you on the Subject, and as the weather is too Hot for any Business of Consequence, there will be time enough for your Answer.

As to the Cows, you must use your own Judgment about pasturing them.

My kindest Love to all Friends, Sister, the Children—Molly—the whole Family &c.

Remember me to Susan—to whom & M [. . .] I most omit writing.

Am my Dearest Love with Esteem & Affection, Your Husband,

Boudinot

RC (NjP: Stimpson-Boudinot Collection).

John Hanson to Thomas Sim Lee

My Dear sir Philadelphia June 25th 1782

I have received your Excellencys favour of the 20th by the post. Am much obliged to you for the trouble you have taken in procuring the Sum of red money I requested you to draw for me as an Additional favour must request your Excellency to Keep it untill I have occasion to Call for it.

The mail of which the post was robbed I hope will not afford Sir Guy any very important intelligence. If the Account published in the papers of a packet having been taken and Carried into North Carolina be true, it is probable the regaining those papers was the object. Congress have not received a line from their Deputies Since the[y] left this place nor was any information respecting their Business expected.

Capt. Asgill is not yet Executed, it is Still expected that Lippencut the perpretrater of Huddys Murder will be given up. This affair has put the British Commander into a most disagreeable Situation And will Occasion I hope Such Annimosities between the regulars and refugees as will not be Speedily Settled. I find a 5s specie Tax is to be Collected in our State in August,[1] to be paid into the Continental Treasury and that Sixty thousand pounds is also to be raised by the Sale of British and Confiscated property.[2] This tho' Short of our Quota will be of great Service and if the other States furnish as much in proportion will it is to be hoped Keep the wheels in Motion. There is at present a very great dearth of news. Have inclosed you a paper. I don't write to my son by this post, be pleased to let him Know we are well. With best wishes for your health and happiness, I am my Dear sir, Your Excellencys most hble Sert,

John Hanson

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] For the proceedings that led to the adoption of this Maryland bill on June 8, see *Votes and Proceedings of the House of Delegates of the State of Maryland, April Session, 1782*, pp. 126–27, 146, DLC(ESR).

[2] For the Maryland Assembly's adoption on June 15 of this "bill for the sale of certain confiscated British property," see ibid., pp. 163–64.

James Madison to Arthur Lee

Dear Sir Philada. 25th June 1782.

The bill which you lately inclosed to me[1] was duly honored, and the contents of it are in my hands subject to any order which you may wish to give.

A private letter from Mr. Adams of the 11th of April, informs his correspondent that Friesland, Holland, Utrecht, Zealand & Overyssel had taken decided resolutions for a treaty with the U. States; and that like resolutions might be expected in a few days from the two remaining provinces. A Leyden paper of posterior date, says that six provinces had concurred in this measure. This revolution ap[pear]s t[o have] been exceedingly stimulated by the [. . .int]erest which apprehended that if the [. . .] was lost, they might be excluded [. . .]tion from some of the commercial privileges which England may obtain.[2] It is observed in a long memorial from the Merchants to the States General[3] that, the importance of the American trade was experienced by them very sensibly prior to the loss of St. Eustatius, as it has been throughout the war by France; that the Ordinance of Congress agst. British Manufacturers[4] presents a precious season for substituting those of other nations, & that this season ought the rather to be improved as nothing will be so likely to open the ears of G. B. to the demands of the U. S. & to a general Peace, as the prospect of being supplanted in the commercial preference, which she still expects from the habits of America.

The trafic with the Enemy's lines, had increased to so great a degree that it was thought necessary for Congress to renew their exhortations to the States upon this subject,[5] and to summ[on . . .] of the people in aid of the public [. . .] Resolutions will be laid before you [. . .]tive character. We also understand [. . .]cious intercourse with the Enemy is carryed on under collusive captures preconcerted between Vessels from N.Y. & vessels fitted out on the neighbouring coasts. This abuse lies more within the purview of Congress and a remedy for it is now under consideration. If the trade with N.Y. cannot be suppressed by some means or other it will very shortly steal from us all our hard money, and render our taxations abortive.

I am Dr. Sir with much respect, Yr obt friend & servt.

J Madison Jr.

RC (MH–H: Lee Family Papers). Madison, *Papers* (Hutchinson), 4:367–68.

[1] See ibid., pp. 244–45.

[2] For the meaning of this fragmentary passage see the second paragraph of the Virginia delegates' letter of this date to Benjamin Harrison.

[3] This "long memorial" is in Wharton, *Diplomatic Correspondence*, 5:251–54.

[4] That is, the ordinance of January 2, for which see John Hanson to the States, January 6, 1782, note.

[5] See Madison to Edmund Randolph, June 18, note 3; and John Hanson to the States, June 24, 1782.

James Madison to Edmund Pendleton

Dear Sir Philada. 25th June 1782

Your favor of the 17th[1] escaped the accident which befel that of the preceeding week. The loss of the mail is the more regretted as we now understand that a packet from N.Y. to England, which had been intercepted & carried into N. Carolina, made a part of it.

No authentic account of the fleet which sailed from N.Y. is yet come to hand. The prevailing & I fancy the true conjecture now is that it contained a parcel of miserable Refugees who are doomed to exchange the fancied confiscations of their countrymen for the bleak & barren settlement in Nova Scotia or Penobscot.

The illicit trade with N.Y. has under the auspices of the new system of the Enemy, been carried to such an extent, that the interposition of Congress in some form or other seemed to be called for. The only form which seemed to consist with constitutional propriety, was a renewal of their exhortation to the States, to exert their utmost legislative skill in suppressing it by land; & to impress on people the fatal effects of a continuance of it, and the necessity of their patriotic cooperation with the public measures in bringing transgressors to due punishment. This trade is also carried on by water, under collusive captures of Vessels from N.Y. by little vessels fitted out on the neighbouring Coasts. The remedy for this part of the evil is more within the authority of Congress,[2] and an application of it is now agitating. Nothing can prevent the evil by land but a voluntary combination among the people at large to find out & prosecute the authors of it. How far this will take place is uncertain. As it is dictated by the interest of the army, and of the Farmers, who feel the loss of the specie which goes to the Enemy, and by the fair traders who are undersold by the smugglers; as well as by every principle of Duty, some efforts may justly be expected.

Congress have received no letters of very late date from Mr. Adams, but there is a private letter here of the 11th April, in which he informs his correspondent, that all the Provinces except two had with astonishing unanimity & rapidity decided in favor of a connexion with the U. States; and that no doubt was entertained that the remaining two would in a few days follow the example of the others. Some Gazettes of later date have reduced the exception to a single province. Upon the whole we have suffi[ci]ent ground to expect in a little time, a full & formal recognition of our Independence in that quarter. Their public councils are stimulated much by the zeal of the Merchants, who fear that unless commercial stipulations are speedily concluded, a peace with Britain may place their trade under a disadvantageous competition with that both of England & of France.

I am Dr Sir with sincere regard Yr. obt friend & Servt.

J. Madison Jr.

[*P.S.*] The Gazette of this morning is so barren that I thought it wd. be less interesting than one of Wednesday last, which contains a very singular production of the American Loyali[s]ts.[3]

Reprinted from Madison, *Papers* (Hutchinson), 4:369–70.

[1] See ibid., pp. 345–47.

[2] Under the ninth of the Articles of Confederation Congress had the "exclusive right and power" to establish "rules for deciding in all cases, what captures on land or water shall be legal." *JCC*, 19:217.

[3] The June 19 *Pennsylvania Gazette* reprinted from the March 9 *London Chronicle* a "Declaration and Address" of American loyalists in London critical of British military policy in America.

James Madison to Edmund Randolph

Dear Sir

Philada. 25th of June 1782

Your favor of the 15th[1] being more fortunate than the preceding one came safe to hand yesterday. The loss of the mail is the more provoking as it is said to have contained a packet from N.Y. which had been intercepted on its passage to England & carried into N. Carolina.

The illicit trade with the British lines has been pushed so far under the encouragement of the enemy, as to threaten a deep wound to our Finances. Congress have renewed their exhortation to the States on this subject and recommended to the people through them, a patriotic cooperation with the public measures. This trade we have also discovered is carried on with considerable effect, under collusive captures. This branch of the iniquity falls properly within the purview of Congress and an ordinance for its excision is in the hands of a Committee.

A private letter from Mr. Adams of the 11th of April informs his correspondent that 5 of the 7 provinces had decided in favor of a Treaty with the U. S. and that the concurrence of the remaining 2 might be expected in a few days. A Leyden paper of a subsequent date, reduces the exception to a single Province. It would seem from a Memorial from the Merchants to the States General, that this revolution had been greatly stimulated by an apprehension that a sudden pacification might exclude their commerce from some of the advantages which England may obtain.

The Memorial appeals to the effect of the American trade on the resources of France, & to the short & indirect experience of it, which Holland enjoyed before the loss of St. Eustation, as proof of its immense consequence. It observes also that the Ordinance of Congress agst. British Manufactures presented a precious crisis for introducing those of other nations; which ought to be the rather embraced, as nothing would be so likely to dispose Britain to the Independence of America & a general peace, as the prospect of her being supplanted in the commercial preference expected from the habits of her lost Provinces.

The present conjecture with regard to the fleet mentioned in my late letters, is, that it conveyed a parcel of miserable refugees who are destined to exchange the fancied confiscations of their rebellious Countrymen, for a cold and barren settlement in Nova Scotia or Penobscot.

A Foreign paper has reinstated Hyder Ally in his superiority over Sr. Eyre Coote. Major General Monk is numbered among the slain in the battle which produced this reverse of fortune to the British arms.

I hear nothing from Mr. Jones. Tell him if he is at Richmond that this is the reason why he does not hear directly from me. Instead of the paper of this morning which is uncommonly barren, I send you one of Wednesday last which contains a very curious remonstrance from the disconsolate Loyalists.

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:371–72.

[1] See ibid., pp. 339–40.

Virginia Delegates to Benjamin Harrison

Sir Philada. 25th June 1782.

Your Excellency's favor of the 15th came safe to hand yesterday.[1] The loss of the mail of the preceding week is the more regretted, as we understand that a packet from N. York for England which had been intercepted and carried into N. Carolina, made a part of it.

A private letter from Mr. Adams dated the 11th of April informs his correspondent, that Friesland, Holland, Zealand, Overyssell and Utrecht had decided in favour of an immediate connection with the U. States and that Guelderland & Zutphen, it was expected, would follow their example in a few days. A Leyden Gazette of a posterior date says that six provinces had then concurred. Their public concils seem to have been greatly stimulated to this decisive conduct, by the zeal of the Merchants who profess their fears that unless a treaty be speedily concluded with America, a pacification may exclude their commerce from some of the advantages which England may obtain.

They observe also that the Ordinance of Congress against British Manufactures presents a favorable crisis for introducing those of other nations, and that commercial connection with the U. States, tending to supplant the commerce of Britain will be the most likely means of disposing her to an immediate acquiescence in the American Revolution & to a general peace.

The illicit trade with N. York under the encouragement of the enemy, and the obstruction of foreign trade has increased of late so far as to threaten great injury to the public finances. The steps which have been taken by Congress on this subject will be transmitted to your Excellency by the President. It is also discovered that supplies of British goods are imported under collusive captures concerted between Vessels from N. York and Vessels fitted out on the neighbouring coasts. This part of the evil is more within the jurisdiction of Congress, and a remedy for it is now under consideration.

With great respect, We have the honor to be Yr. Excelly's obt. & hbl. servants,

J. Madison Jr.

Theok. Bland

RC (Vi: Continental Congress Papers). Written by Madison and signed by Madison and Bland.

[1] Not found.

John Taylor Gilman to Meshech Weare

Sir Philadelphia June 26th. 1782.

I wrote you the 19th Instant Informing of my Arrival here on the 17th &c.

Genl. Carletons Commission as a Negociator &c. has been the Subject of much Conversation some time past, Congress have no Information on that Subject Except the Letter which was sent to his Excellency Genl. Washington requesting permission to send his Secretary to Congress, on which they ordered that he Should not be permitted. The last Accounts from Genl. Green Inform that a Proposition had been made to him by the British Commander at Charlestown for a Cessation of Hostilities untill he Should Obtain further orders from New-York. Genl. Green did not think proper to Enter into so Absurd an Agreement. My Opinion is that all their Propositions are Calculated Merely to Quiet their People in England &c., and with Intention so far to deceive the United States as to produce a Relaxation in their Exertions for Carrying on the War. I mentioned to you in my last something respecting Our State's having a Vote in Congress, and as I think it to be of much Importance hope you will Excuse my Mentioning it again. Besides the General and

Obvious Reasons for our having a Vote, I could mention some particular & Important Ones, but as the mails are frequently Robbed prudence forbids it. I know it is very Expensive, and the difficulty of procuring money in New Hamp is great, but Permit me to Say, I think it Ought to be an Object of the first Importance with the State—although the raising of Contl. Troops & paying the Contl. Tax is of great Importance, but Shall N H. raise men, & pay their Money, & not have a Voice in the disposal. The last Accounts from Holland are favourable, Congress have, Undoubted Information that five of their States, have agreed to Acknowledge our Independance, it is Expected the others will soon follow.

I have the Honour to be, with due Respect, your most Obedt. Servt.

John Taylor Gilman

P S. I Inclose a Paper of this day.

RC (MHi: Weare Papers).

Arthur Middleton's Draft Motion

[June 26? 1782][1]

Whereas the State of Connecticut had but One Agent present on the Day of appointed for it's Appearance in a Cause depending between that State & the State of Pensylvania, Two Agents being necessary to represent her; & the Agents on behalf of the State of Pensylvania declared they would be satisfied that Congress should appoint a farther Day, provided Congress would then proceed agreeable to the Articles of Confederation, unless the Agents of Connecticut should previously appear & agree to proceed upon the Business

Resolved That the Day of be fix't on for both Parties to appear & commence the Proceedings in the Dispute pending between the said States; & that Congress will then proceed agreeable to the Articles of Confederation in Case the Agents for the said States do not come to an agreement.

MS (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] This draft motion designed to defer action on the Connecticut-Pennsylvania dispute over lands in the Wyoming Valley may have been offered in Congress this day together with a similar motion put forward by Connecticut agent and delegate Eliphalet Dyer, for which see *JCC*, 22:352–53. Since Middleton's motion is not in the journals or in PCC, however, it is more likely that he thought Dyer's motion sufficient and did not introduce his own. For the context in which these motions were drafted, see Connecticut Delegates to Jonathan Trumbull, June 5, 1782, note 3.

John Hanson to George Washington

Sir, Philadelphia, 27th June 1782.

I have the honor to acknowlege the receipt of your Excellency's favor of the 24th inst. with the papers therein inclosed, which were immediately laid before Congress.[1]

With the highest sentiments of respect, I have the honor to be, Your Excellency's Obedt. & very humb. Servt,

John Hanson

RC (DLC: Washington Papers). In a clerical hand and signed by Hanson.

[1] For Washington's June 24 letter to Congress, expressing his distress "at the Languor and Inertion of the several States in sending on the Recruits to the Army, which have been requested," see PCC, item 152, 10:589–94; and Washington, *Writings* (Fitzpatrick), 24:384–85.

James Duane to Mary Duane

My dearest Polly Philad. 29th June 1782.

I got safely and in health to this City last Fryday week, the Heat of the Weather rendering a more expeditious Journey inconvenient.[1] The next day Doctr. Latham called on me for my Letters, assuring me that he meant to set out the Monday following. Concluding that he would be punctual I preferred that Conveyance to the post; but I have since learned that he has not even yet thought fit to return to his Family, who have so long been looking for him. I know nothing of his Business here but his behaviour is unaccountable.

I had the pleasure of meeting young Mr Le Roy who after many difficulties has at length reached his native Country. He appears to be a decent well behaved young Gentleman and from the Information of a person of Distinction who knew him in Amsterdam sustains a very good Character. He has promised to dine with me this day and only waits to hear from his Friends to set out homeward. He had been unfortunate in trusting to Dr Latham to announce his Arrival. By this Young Gentleman I shall write to you again. The Season here is tolerable and the Town very healthy. There is no News of the least Importance; but what will be found in the News papers which I send for the Amusement of my Friends. Present my affectionate Regards to all my Friends. Kiss and bless for me our dear children and believe me to be, with the utmost sincerity and affection, my dearest Polly, Your ever faithful Husband.

Jas. Duane

RC (NHi: Duane Papers).

[1] Duane had resumed his seat in Congress on Monday June 24. *JCC*, 22:345. His accounts, certified by New York auditor Peter Curtenius on June 21, 1783, authorized payment of £352 for attendance at Congress ("176 days at 40/") from June 14 to December 17, 1782, including travel time. Continental Congress Miscellany, DLC.

John Rutledge to Nathanael Greene

Dr Sir, Philada. June 30. 1782.

I had the pleasure of receiving, by Mr. Izard, your Letter of April 25th. Your & his Accounts of the Condition of the Army, for want of Cloathing & Spirits, are truly deplorable, tho' not worse than I expected. I imagine greater Attention would have been paid, to supplying it with those Articles, but, for an Opinion that C. Town was about to be evacuated. This Opinion I found very prevalent when I arrived here. Indeed many People cannot yet be convinced that an Evacuation will not, very soon, take Place. However, I never could see any reason why, in the present Situation of Affairs, the Enemy should leave it, &, even if they had such a Matter in Contemplation, I fear the unfortunate Issue of the Action between Rodney & Count de Grasse will retard the Execution of the Measure—as the Consequences of that Engagement, & the Lateness of the Season will, in all probability, prevent the Marquis de Vaudreuille from prosecuting an Attack on Jamaica, & put the Enemy from immediate Apprehensions for their W. India possessions, which they will not, therefore, reinforce by the Garrison of C. Town. I wish I may be mistaken in this Opinion. I shall do every Thing in my power towards effecting the necessary Supplies for the Southern Army, & will write to you soon fully on that Head. We have just heard that a Packet from England lately arrived at N. York but the News, (if any,) which she has brought is not yet come to Hand. I have no such Expectations of a speedy Peace as some People flattered themselves with, from the Change of Ministry. Indeed I think a Continuance of the old would have been better for Us than the present Lot. However, a short Time will probably shew us what We are to expect. The new Ministry do not seem to have made up their Minds upon Matters, when Carleton left England. His letter to Genl. Washington, which you see in the Papers, (a very immaterial & unimportant one,) is all that We have had from him. The Dutch have, in all probability, acknowledged our Independence, e'er now. Mr. Adams in his last dispatches, of 26 March, says, that such an Acknowledgment would certainly take place, tho' it might perhaps be delayed for 3 or 4 Weeks—the Prince having declared that he saw no Chance of stemming the Torrent, & therefore he shd. not attempt it. The Irish are likely to obtain further Benefits in Consequence of the

Contest in which G. Britain is involved. I congratulate you on the fortunate discovery of the Plot which some of your Troops were meditating.[1] Wishing you Health, & every Felicity, I am with great Esteem & Regard, dr. Sir, yr. most obed. Servt,

J. Rutledge

RC (DLC: Greene Papers).

[1] In April Greene had hanged or otherwise punished several mutinous soldiers of the Pennsylvania line, some of whom had instigated the Morristown mutiny in January 1781. See Theodore G. Thayer, *Nathanael Greene: Strategist of the American Revolution* (New York: Twayne Publishers, 1960), pp. 397–98.

Arthur Middleton to Edward Rutledge

[June ? 1782][1]

This comes by Cap. Kalteizen upon whose return I flatter myself to have the pleasure of hearing from you, as there is not much prospect of my leaving this previous to his arrival here.

I dont write to Gov. M—[2] as it is yr Brother's[3] Turn to write the pub. Letter, & I suppose he will be fuller. Pray tell him from me that the Cypher is not to be depended on in Case of Interception; for during yr B's absence who had forgot to leave the Alphabet with us, Mr. Z[4] & myself, soon decypher'd his last Letter with very little Trouble.

I have mention'd that all the money arising from the [Indigo] has been absorbd by the necessities of an unfortunate friend, so that none will remain to purchase. If that Idea still prevails it will be necessary to send on more Indigo as a fund for that purpose; & I beg leave to hint also that It should be thrown into other hands than those of Mr. R.[5] whose Connection with the S.I.F.,[6] the Sieur H——[7] & other Speculators may defeat the purpose. Knowing yr. Brother's usual Sagacity I confess to you I was surprized when I found Mr. R constituted agent of the State, & was sorry Mr. M[8] who was here at the Time, mention'd the Business to him. He (M R)[9] is Leagued with such a set of ——— that I do not think him fit to be trusted with a matter of that Nature; surely among our own Citizens who are from Circumst[ance]s obliged to remain here might be selected by your Delegates to conduct it, whose Zeal, Integrity, & indeed Interest in Conducting it with Secrecy & Caution, would at least be equal to those of any who are not connected with the Country, whose Patriotism is by [*no*] means Conspicuous; & in a word whose *Interest* it may be, I had almost said it is, to make the Article wanted come at the dearest Rate possible. I Speak freely to you upon this Subject because it has hurt me, & I find from Conversation that It has given [. . .]nt to some of our Countrymen. I dont blame yr. B. who I make no doubt acted for the best, & must not have known of Connections which existed; I very soon found them out, & could not but be chagrined to find the pub. Int. expos'd to such rapacious Hands, particularly in Times of Distress. A very large portion of the Indigo was sold at 6 months Credit & the Notes given to our Countrymen could not be converted into money, unless by accident & the Interference of some few who had humanity, for less than 20 per cent for the 6 months—so much does Charity prevail here.

FC (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] It is apparent from information in the second paragraph of this letter that it was written shortly after the return of John Rutledge to Congress on June 27 from a mission to the southern states, for which see John Dickinson's Notes, May 31, 1782, note 1.

[2] That is, John Mathews, governor of South Carolina.

[3] John Rutledge.

[4] Ralph Izard.

[5] Philadelphia merchant John Ross, against whom the South Carolina delegates had complained earlier. See South Carolina Delegates to John Rutledge, February 18 and March 4, 1782.

[6] Superintendent of Finance Robert Morris.

[7] French consul Jean Holker.

[8] Isaac Motte.

[9] That is, "Mr. Ross."

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir, Philadelphia July 1st 1782

We early after our Arrival at this place Acquainted your Excellcy of Coll Roots unexpected Departure from Congress before we Arrived[1] when the time for the Appearance of the State of Connecticut in the great Cause between them & Pensylvania was near at hand, we foresaw a Storm arising but were in hopes there would have been so much candor Exercised as not to Urge a procedure in that Cause untill Coll Roots return, but when the day arrived, the Agents from Pensylvania Appeared, & Urged with the greatest Vehemence for an Entry of the nonappearance of the State of Connecticut & that Congress Immediately proceed according to the directions of the Articles of Confederation to Nominate Commissioners & have them Struck of so as to reduce them to the Number Assigned to hear, Judge, & Determine the Cause which must have been done by Pensylvania Agents on the one hand, & our Pensylvania Secretary on the Other,[2] whereby it may very easily be seen what a set of Judges we should be left with to Decide this most Important Controversy; it was Moved by one of the Agents from Connecticut[3] (tho not

Authorised without one of the Others to Appear), that by reason of Coll Roots Absence by Appointment of Congress on business of Importance to the United States that all proceedings in the Cause be stayd till the blank day of July when Coll Roots return might be expected, this met with a surprising opposition. Urging that every State must risque the Conduct of their own Agents, & that Coll Root did not Acquaint Congress with his Agency for Connecticut in their Cause, which if he had they should not have sent him forward, & further that the Assembly of Connecticut was apprised of Coll. Roots return when he appeared before them & ought to have sent Dr Johnson forward or Appointed another, these Debates have taken up 3 or 4 days in Congress & are still debating & undetermined,[4] but rather think they in general rather Incline to have the matter lye without any determination Untill Coll Roots return, & it is without any doubt expected in the mean time that we write in the most pressing manner to hastn on Mr Roots return as soon as possible. Coll Roots return must be hastned without delay after his meeting the Assembly in the State of New York which we understand are to set on the 10th day of this month, he must proceed forward from thence to Congress without returning home.[5] You are sir Sensible that by Confederation the Agents from each State are to indeavor to Agree on Commissioners Antecedent to Congresses Nomination which will take up some time & we cannot expect to delay the matter beyond the 25th at farthest, when Congress will proceed. We have also laid in our Motion, According to Instructions from our Assembly, for postponing the Trial of this Cause till after the Close of the War, especially as many of our material exhibits are in England, but this is & will be Violently Opposed As they urge the Necessity of all Disputes if possible being setled before that time, & Indeavor to Impress Congress with the Ideas that Connecticut wish for delay only to get a more full possession of the Country, &c, &c, & that they are willing to make such Concessions with respect to the Exhibits left in England, & are Originals, as may supersede the Necessity of Obtaining of them from thence, provided we Produce Authenticated Copys of them or otherwise satisfye them of the real Contents, which makes it Necessary for us to be furnished with what Copies or Duplicate Originals we have of those papers, for which purpose I have inclosed a list of such Originals as are left in England which may be of Necessity to be used on the Tryal of said cause, which list if sent to Doctr Gray of Windham Clerk of the Susqh Company he will be able to send Us an Account of what of those papers he is possessed of, or can procure, if directed thereto by your Excellency, he also can make enquiry of the Comtee of the Delaware Company at Norwich for such papers (as minuted in the list) belonging to them, & of what duplicates, originals or Copys they are possessed of, & An Account of the whole we Wish to have, Transmitted to us as soon as possible.

In one of our former letters to your Excellency we Informed you that the Copy of Mr Deans letter & the Answer approved by our Assembly were laid before Congress;[6] and that the Answer as to the Sentiments & reasonings therein were highly Approved, but we find by Conversing with many Gentn. of Congress, that they wish that the Answer may not by any means be sent or forwarded to Mr Dean. They imagine it was his great design to draw, an answer, if possible from so respectable a person or body as the Governor or assembly of Connecticut, and which if so, may be Improved to purposes very Prejudicial, give him the Importance, Consequence and Advantage he wishes & Intends, beside it is thot it would prove derogatory to the Honor & Dignity of the State. We have reason to Believe Msr. Marbois, Secretary to the Minister of France, to be of the same Opinion, tho he appears well pleased to find the Sentiments & Opinion of our Assembly as Expressed in the Answer, yet Wishes they had appeared to the Publick in the same Manner as has been published from the Assemblys of Virginia, New Jerseys, &c. We beg leave therefore to Submit it to your Excellency wether it will be best to send forward the Answer to Mr Dean, or if allready only gone to some port to be forwarded, whether it will not be best to recall the letter if the Ship has not yet sailed; tho as we were not Attending our Assembly when the Answer to Mr. Deans' letter was proposed we are wholly Ignorant & Uncertain Whether it was ever designed to send the Answer to Mr Dean, but only to declare to the publick what the sentiments & opinion of the Assembly of the State of Connecticut were on the Subject.

No News from Abroad—but what is Contained in the publick papers the last Inclosed.

Are, with the greatest Esteem & respect, Your Excellcy Obedt. Hle Servts.

Elipht. Dyer

Benj. Huntington

[*P.S.*] This is rather wrote for your Excells particular Information in part than for publick Inspection.

RC (Ct: Trumbull Papers). Written by Dyer and signed by Dyer and Huntington.

[6] See Connecticut Delegates to Trumbull, June 5, 1782.

[7] That is, Charles Thomson, whose role in such proceedings is specified in the following passage from article nine of the Articles of Confederation: ". . . but if they cannot agree, congress shall name three persons out of each of the united states, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as congress shall direct, shall in the presence of congress be drawn out by lot, and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally

determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which congress shall judge sufficient, or being present shall refuse to strike, the congress shall proceed to nominate three persons out of each state, and the secretary of congress shall strike in behalf of such party absent or refusing." *JCC*, 19:218.

[3] Eliphalet Dyer.

[4] See *JCC*, 22:345–48, 355–57; and *Susquehannah Co. Papers*, 7:104–8.

[5] Root's mission to the eastern states was already over and he was about to return to Congress. "I got home from our eastern circuit Tuesday night [July 2]," he wrote to Trumbull from Coventry on July 4, "and this afternoon set out for Philadelphia. Should have done myself the honor of waiting on your Excellency, but had not time. A strange lethargy seems to have locked the senses of a great part of the country & to pervade a majority in almost all the Assemblies; what the consequences will be God only knows. I would suggest that it will be required of the States to sink their quota of old Continental bills. Massachusets & N. Hampshire have more than their quota in their treasuries; these bills might be got cheap in Virginia—the longer it is delayed the more difficult it will be to get them." Trumbull, *Papers* (MHS Colls.), 3:366–67.

[6] See Connecticut Delegates to Trumbull, June 5, 1782, note 2.

James Duane to George Clinton

Dear Sir, Private Philadelphia, July 1st, 1782.

I lost no time after my arrival to enquire the Exchange of French bills. I find the French Agents sell at 6/6 pr. Dollar and the Sale is dull. I shall, therefore, agreeably to your Excellency's directions return those Bills which you entrusted to my Care by the first safe Opportunity.

We have no late Intelegence from any part of the World. It is observable by the last arrivals that the Dutch were on the point of acknowledging our Independance. Six of the provinces have Instructed their Deputies to that end. Guilderland where the Prince Stadtholder has his Estates and chief Influences, *alone* had not acceeded. The People in every Quarter cry out aloud to their Rulers to secure for them in Time the Friendship and a share of the Commerce of America, and their Importunity seems to be too great to be resisted. It is, therefore, an Article of my political Creed that we shall soon enter into an alliance with the Dutch. The new British ministry are exerting every nerve to draw that nation into a separate Peace, and the Russian Ambassador has interposed his mediation with a Zeal which is not very pleasing; but it appears to me that if even the Dutch had an Inclination, they have proceeded too far to retract. The papers enclos'd will lead your Excellency to better Reflections on this subject than I can suggest.

General Scott seems determined to attend the Legislature and I fear nothing I can offer will keep him here.[1] Mr. l'Hommedieu will, therefore, be called upon to take his tour unless it should be more convenient to Col. Floyd. I must trouble your Excellency to enforce on the Legislature the Justice of returning me the money I advanced for my support in Congress, especially as I borrowed a part of it, for which I am pressed. I am in advance about £800. If I could get half that Sum, it would make me for the present easy with my Friend who has assisted me, and enable me to purchase some necessities with which my Family cannot dispense. I have an Account unsettled, but I only speak now of what is adjusted and actually passed to my Credit at the Treasury. Believe me, it is with pain that I mention this subject: but my past forbearance has reduced me to difficulties from which I ought to be relieved.

Be pleased to make my Compliments acceptable to Mrs. Clinton: and believe me to be, with the utmost Regard, Dear Sir, Your Excellency's Affectionate & most Obedient Servant,

Jas. Duane.

Reprinted from Clinton, *Papers* (Hastings), 8:13–14

[1] See John Morin Scott to Clinton, June 19, 1782

John Hanson to Thomas Sim Lee

My Dear sir, Philadelphia July 2d 1782

I am honored with your Excellencys letter of the 28th ult. Yesterday Congress received a Copy of the Massachusetts impost Law passed in the manner recommend[ed].[1] It establishes 5 Per Cent Duty on all imported Goods (Salt, and wire for Cotton & Wool Cards excepted), and is to Continue untill the public Debt & Interest is descharged, but is not to take place untill Similar Laws are passed by all the states. Rhode Island is the only State that has not Complyed, but it is said, as Massachusetts have Come into that measure, it will be immediately adopted by that state. I wish our Law had passed without a limitation, it is such a deviation from the general recommendation, And so dissimilar in that respect to the Laws that have passed in the other States, that I am apprehensive it may occasion Some difficulties, those states that may have with reluctance Come into the measure may be glad of Such An Excuse for not Carrying the law into Execution. I believe Congress would be glad to receive the Law passed in our state as soon as may be Convenient. I am Obliged to trouble your Excellency on the score of my allowance. I have received but fifty pounds Since March. I have now due to me near £200. £50 of the hundred which Mr Hollingsworth was ordered to pay out of the money arrising from the Sale of some Iron, it seems he has applyed another way, and from what he says I have little Expectation of receiving Any from him in a Short time. He says he is ordered to Sell wheat to Supply the Delegates, but that the price is too low at this time. I assure you Sir—that I am distressed for want of money and hope your Excellency and the Honorable Council will furnish me with two hundred pounds as soon as possible.

Lippancut is not yet given up, but it is expected he will in a Short time. No news more than you will find in the inclosed paper. I am my Dr sir with the highest esteem and regard. Yr Excellencys most humble Servt.

J.H.[2]

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] See *JCC*, 22:361.

[2] Hanson also wrote a brief personal note to his son-in-law, Philip Thomas, this date, which is in the Hanson Papers, MdHi.

James Madison to Edmund Randolph

My dear Sir

Philada. 2d July 1782.

The confidential & circumstancial communications in your favor of the 20th of June[1] have afforded me much pleasure. Those which relate to the scheme of {garbling the delegation}[2] were far from surprizing me. In a conversation with Mr. J. before he left Philada.[3] it was our joint inference from a review of certain characters & circumstances that such a scheme would be tried. The prevailing temper of the {present delegation is too little flexible to the factious and vindictive plans of a particular member[4] of it} to be relished by {him and his adherents. No delegate} who refuses to {league with him in the war against the financeir} must {expect to be long at ease in his post. The} disappointment {in the affair of the flags will increase the venom against the minister. The first} conversation {I had with the doctor after his return} clearly {betrayed how much it rankled in his bosom}.

No addition has been made to our foreign intelligence in the course of the past week. Some of the republications from the European papers herewith sent throw light however on the general state of foreign affairs. Those which relate to Ireland in particular are very interesting. The Empress of Russia appears by the Memorial of her Ministers to be more earnest in forwarding a reconciliation between England & Holland than is consistent with the delicate impartiality she has professed as Mediatrix, or with that regard which we flattered ourselves she felt for the interests of the U. States.

One article of our late communications from France was that the interest {on the certificates is no longer to be continued} and that provision {must be made} within ourselves. This has caused great commotion & clamour among the class of public creditors, against Congress, who they believe or affect to believe have transferred the funds to other uses.[5] The best salve to this irritation, if it could with truth be applied, wd. be a notification that all the States had granted the impost of 5 PerCt. and that the collection & appropriation of it would immediately commence. It is easy to see that the States whose jealousy & delays withhold this resource from the U.S. will soon be the object of the most bitter reproaches from the public creditors. Rhode Island & Georgia are the only States in this predicament, unless the Acts of Virga. & Maryland should be vitiated by the limitations with which they are clogged.

No step has yet been taken in the instructions prepared before your departure. I expostulated a few days ago with D[oct]or W[itherspoo]n on the subject & prevailed on him to move in the business, but his motion only proved the watchfulness & inflexibility of th[os]e who think they advance towards their own objects in the same proportion as they recede from those of Virginia.[6] I have since shewn him the report and he is a confirmed advocate both for the innocence & expediency of it.

We are even at this day without official advice of the naval event of the 12 of April in the W. I. nor have we any advices of late date from that quarter. There is little room to hope that the misfortune of our Ally will be repaired by any subsequent enterprizes.

Congress are much perplexed by the non-appearance of Connecticut at the time appointed for the meeting of her Agents & those of Pennsylvania. We wish to avoid leaving her any pretext to revive the controversy & yet the reasons for her neglect cannot be pronounced sufficient. Her adversary professes a strong jealousy that she means by every artifice to parry a decision during the war; and it cannot be denied that appearances but too well authorize it.

RC (DLC: Madison Papers). In Madison's hand, though not signed. Madison, *Papers* (Hutchinson), 4:386–87.

[1] See ibid., pp. 354–58.

[2] Words printed in braces in this text were written by Madison in cipher.

[3] That is, Joseph Jones, who left Philadelphia on May 2.

[4] Arthur Lee, who had returned to Congress on June 27. *JCC*, 22:354.

[5] To compel the United States to accept a larger share of the financial burden of the war, the comte de Vergennes had informed La Luzerne that France would no longer accept responsibility for paying interest on Continental loan office certificates issued before March 1778. The French minister relayed this information to the Superintendent of Finance on May 25 and even though Morris informed Congress soon thereafter no action was taken until he submitted his June 13 report on Continental loan offices. Congress then referred the matter to a committee composed of Samuel Osgood, John Witherspoon, and Ralph Izard which proposed on June 26 that Morris "draw no more bills on Europe for the payment of Interest due," but to pay interest on all loans from the five per cent impost on imported goods when it was approved by the states. Congress referred this proposal to Morris whose June 27 report, embodying the same recommendation, was read in Congress on July 1 and assigned to a committee consisting of John Rutledge, Arthur Lee, and Abraham Clark. In the meantime, the suspension of interest payments "caused great commo-

tion & clamour" among holders of loan office certificates who petitioned Congress on July 3 and 8. See John Taylor Gilman to Josiah Bartlett, July 9, 1782, note 2. The Rutledge committee's report, presented on July 18 and debated the 22nd, recommended that since the European fund for discharging interest payments was exhausted and no other fund had yet been established that "no more bills of interest . . . be drawn until the further order of Congress." The report was postponed until August 5 when it was referred to a grand committee on the public credit. See *JCC*, 22:352, 365, 447–48; PCC, item 186, fol. 34; Morris, *Papers* (Ferguson), 5:396–99, 491, 6:47–55; and Charles Thomson's Notes of Debates, July 22–23, note 1, and August 5, 1782.

[6] For Madison's attempt to revive his January 7 "instructions" to the peace commissioners and John Witherspoon's June 17 motion to that effect, see Madison, *Papers* (Hutchinson), 4:4–17, 342–43. For their ultimate success in carrying a similar motion on August 8, see ibid., pp. 436–38, 5:14–16, 33–36; and Charles Thomson's Notes of Debates, August 8, 1782.

Virginia Delegates to Benjamin Harrison

Sir Philada. 2d July 1782.

We had the honor of receiving your Excellency's favor of the 22 Ultimo[1] by yesterday's mail.

All the late intelligence from Europe which has not been already communicated, is contained in the gazettes herewith enclosed. From the West Indies we have received no certain advices of late date, nor even yet any official advice of the event of the 12th. of April. At New York the Enemy, we are told, are industrious in disciplining their army, and substituting œconomical arrangements in place of the expensive abuses which have prevailed there.

We have the honor to be with the highest esteem & respect yr. Excelly's Obedient & humble Servants J Madison Jr.

Theok. Bland Jr.

A. Lee

RC (Vi: Continental Congress Papers). Written by Madison and signed by Madison, Bland, and Lee.

[1] See Madison, *Papers* (Hutchinson), 4:362–63.

John Taylor Gilman to Meshech Weare

Sir, Philadelphia July 3d. 1782

I wrote you the 26th Ultimo per Post since which have not any News—am Anxious to hear something further from the States of Holland. Our enemies are Undoubtedly Endeavouring to make a Seperate Peace with them, whether this will take place, or those

States unitedly Accede to our Independance is Quite Uncertain, but it is Expected Something Important will soon be done. It is said our Enemies in New-York, are Obliging the Inhabitants all to bear Arms, probable they Intend to Send part of their Regular Troops to the West Indies—present appearances seem to Indicate a Very Inactive Campaign. The Bank is well Established here and full Credit is given to their Bills. Several of the States have begun to pay Money towards their proportion of the 8 Million Dollars. Congress have receiv'd the act from Massachusetts granting a Duty of five per Cent, but nothing can be done in this business at present as the State of Rhode Island have not passed any Act for that purpose. I have the Honour to be, with much Respect, Your most Obedt. Hume Servt.

John Taylor Gilman

RC (Nh-Ar: Weare Papers).

Arthur Middleton's Draft Resolution

[July 3–8, 1782][1]

Resolved That the Publick Creditors be Assured that it is the Determination of Congress to use their utmost Endeavours to maintain the publick Faith & Credit; That the holders of Certificates drawing Interest upon France be informed, that for the want of Funds there, Congress are obliged to withhold drawing Bills at present, but will comply with their Demands as soon as monies can be procured, which they have reason to expect will shortly be the Case; & that they be also informed that Congress will allow Compound Interest, as a Satisfaction to the Creditors for Delay of Payment.[2]

MS (ScHi: Middleton Papers). In the hand of Arthur Middleton.

[1] On July 3 and 8 Congress received petitions from local merchants protesting actions taken by Superintendent of Finance Robert Morris stopping payments on loan office certificates, for which see James Madison to Edmund Randolph, July 2, 1782, note 5. Middleton apparently drafted this motion during that period in an effort to allay public concern, but there is no evidence that he ever presented it to Congress.

[2] Middleton may also have drafted the following remarks at the same time to offer in support of the closing section of his resolution. "Basis of pub Credit is Confidence of Honesty & Ability in the Borrower, punctuality in paying the Interest, or adequate Compensation in Case of the delay of payment. Certainty of a Debt being fully discharged bona fide in the *End*, will occasion patience in the Interim; and a reliance upon the publick Faith will prevent Depretiation, and all the iniquitous practices to which Stock Jobbing gives Birth. Upon this Principle Compound Interest is just." Middleton Papers, ScHi.

Middleton's continued concern over matters of public finance is also reflected in the following draft resolve located in the Middleton Papers but not recorded in the journals. "Resolved that in all Payments made by the United States, or others in their behalf in Paper Currency, at Times when the said Currency was less in Value than when the Money *became* due, Depreciation shall be allowed and the just Ballance paid when the State of the Treasury will admit thereof. Quære, will an Action, by Summons lay against the Treasurer of a Sovereign State?"

John Morin Scott to Richard Varick

Dear Varick Philadelphia July 3d. 1782.

I have had your favor by Mr. Duane. In it You desire that your Case on the Report of the Secretary at War may be brought shortly to a Decision.[1] It shall most certainly be done very speedily, as I have it fully in Design to return hence in about three Weeks; having made sufficient Experiment of this excessive Hot Climate, in the Course of ten days past, to avoid as much of it as possible.

As it is uncertain whether I shall be at home soon enough to prosecute before the Legislature my Claim to the House & farm in the Possession of Sleght, I have authorized either of them by express designation in a new Memorial referring to my former or their Counsel effectually to represent Me on the Subject before the Legislature.

The distresses of my poor Family are so great for Want of a comfortable Habitation, that I am wounded by every Letter from them on the Subject. I cannot doubt your willingness to give Lewis & McKnight your Council & Assistance in a Matter which so deeply affects the Happiness of my Family; & have accordingly in my Instructions referred them to You for the purpose.

I am, Dear Varick, Your sincerely affectionate Friend & humble Servt.

Jno. Morin Scott

RC (NHi: Miscellaneous Manuscripts). Addressed: "To Richard Varick Esqr. at Poghkepsie, State of New York."

[1] For Varick's claim for compensation for the depreciation of his pay, which Scott had submitted to Congress in March and had been endeavoring to obtain a recommendation on from the secretary at war, see Scott to Varick, April 9, 1782. Despite Scott's assurance that he would continue to pursue Varick's claim, no action was taken on it in 1782 and Varick renewed his quest in March 1783, when the case was again referred to Secretary at War Lincoln. But at that time Lincoln recommended against Varick, urging instead a general settlement of the claims of all officers "under similar circumstances." And not until October 1783, after Varick made yet another appeal, did Congress finally recommend that the state of New York compensate him for the arrears of his pay and depreciation "and charge the same to the United States." See PCC, item 78, 23:199–206, item 149, 2:399–406; and *JCC*, 24:184, 220, 25:538, 569, 760.

Jonathan Jackson to Oliver Wendell

Dear Sir[1] Philada. 4th July 1782

We got here but last Monday[2]—we took the Ride very leizurely & met with several Interruptions. Mrs. Jackson is not the worse for her Ride, I think the better. I wrote hastily to Bror Nat twice while upon the road, as the Oppys were more direct to him & desired him to inform you where & how we were. I am not settled yet in Lodgings either in Town or Country, find a Difficulty to procure either to my mind. I have scarcely entered the political Circle, have but only paid my Compliments to the great Officers of State. The French Minister is making great preparations & erecting a Building for the celebration of His young Master's birth—to be on the 15th. I believe there is nothing worth communicating even from the Cabinet, was it to be opened. The general opinion here seems to be that there will be no active campaign. I hope that you will write me frequently & that you are all well. Give our love to Bob—tell him he must write to his Mamma or me under your Cover. Do allow him half a pist[o]le a week & minute it to me at the end of the Quarter. Our Love always attends Mrs. Wendell & your little ones. I am ever affectionately your Frd & Bror. J Jackson

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RC (DNA: Hugh Upham Clark Collection, NHPRC microfilm).

[1] Oliver Wendell (1733–1818), a Boston merchant, was a member of the Massachusetts Constitutional Convention, 1779–80, and served for several years in both the Massachusetts Senate and House of Representatives. Shipton, *Harvard Graduates*, 13:367–74.

[2] Jackson took his seat in Congress on Wednesday July 3. *JCC*, 22:371–72.

Arthur Lee to Francis Dana

Dear Sir, Philadelphia July 6th. 1782

I did not receive your favor dated Amsterdam May 17th 1781. 'till June 29th 1782.[1] It is with very great pleasure that I accept your offer of a correspondance which cannot but be highly interesting to me. The independent spirit which markd your proceedings when you arrivd first at Petersburg, did not please some.[2] Upon this subject I have but one observation to make, That a foreign minister, if he attempt any thing out of the hackneyd path, must do it at his peril. Success alone can silence the mongrel spirits which will otherwise raise a cry against him, from the effects of which, if unsuccessful, he will find no shield but in the goodness of his intentions. This consideration will not prevent a firm & virtuous mind from pursuing what he thinks really for the good of his Country, because even a failure cannot deprive him of that consolation which arises from conscious patriotism.

Our embarrassments for money are great, not that there is any real want of it, but because by the constitution of the Bank, & until lately a most prosperous Commerce, in this tory City, has accumulated all the money here & consequently disenabled the other States from paying taxes to support the war. The residence of Congress in the bosom of toryism & the encouragement given to them is as impolitic as it is unjust. It put such advantages into their hands, as in case the war shoud take a turn, may enable them to deliver us up tied & bound to the Enemy. It is extreme political weakness to suppose that because these men have changd their professions that they have therefore abandond their principles. These are what a tory never changes, & tho he may make them bend occasionally to his interest, yet whenever an opportunity offers you will be sure to find him the same enemy to public Liberty.

I am sorry that the attempts you mention have in any measure succeeded; tho' they have faild of the whole intent, wch. was to place the negociation of peace in corrupt and servile hands only. The wickedness of that old Man[3] is beyond example, & his good fortune in escaping the punishment due to his crimes so well known, is as extraordinary. Horace says—raro antecedentem scelestum deseruit pede pœna claudo.[4] Dr Franklin is the rare exception to his rule.

It may be proper to inform you that the present Secretary for foreign Affairs is a decided partizan of Dr. F. & enemy to Mr. Adams. Like a number of other Parrots here, he praises the former by rote, & undertakes to tutor the other. Whatever you see or receive from him you may consider as dictated by the french Minister. He made him what he is, & policy, or gratitude keeps him from disobeying or renouncing his Maker.

I have little hope of your succeeding where you are. On the contrary I doubt much whether the Empress will continue neuter, shoud G. Britain be hard-pressd. Her policy as well as his partiality must, in my judgment, direct her to prevent the accomplishment of the aim of France, to give Law on the Ocean, & make her lean towards G. Britain.[5]

Farewell

RC (MHi: Dana Papers). In Lee's hand, though not signed.

[1] For Dana's May 17 letter, see Richard Lee, *Life of Arthur Lee, LL.D.*, 2 vols. (Boston: Wells and Lilly, 1829), 2: 281–84.

[2] For Congress' rebuke of Dana for demonstrating an "independent spirit," see James Madison to Edmund Randolph, April 23, 1782, note 6.

[3] That is, Benjamin Franklin.

[4] The quotation is from Horace *Odes* 3.2.31, and has been translated by C. E. Bennett: "rarely does Vengeance, albeit of halting gait, fail to o'ertake the guilty,

though he gain the start." *Horace: The Odes and Epodes* (Cambridge: Harvard University Press, 1934), p. 177.

[5] For Dana's October 15 response to this letter, see Lee, *Life of Arthur Lee, LL.D.*, 2:284–87.

John Lowell to Samuel Adams

Dear Sir Phila. July 8th. 1782.

I am exceeding obliged by your repeated Favours, & should more frequently have written to you, but have been waiting for some Intelligence sufficiently important to claim your Attention, but nothing of this Kind has come forward. Your Friends Mr. Izard & Mr Lee are both now in Congress, & I am happy in assuring you they appear to me to be two of the ablest & best of our Counsellors; we have had few Measures attempted that are pointed against our Friends abroad, but I find Jealousy & Attention is necessary to prevent the Introduction of them. Soon after my arrival a most disagreable Distinction was attempted by making the Salary of Mr. Adams much less than those of Dr. F & Mr. J.[1] under Pretence of his being at a Court less expensive. I ventured to enquire into the Evidence of the Fact, & tho I was tho't & almost called an Upstart, persisted till a Recommitment was made & on Enquiry it turns out that the Hague is the most expensive of the three Courts, & so this Matter ended;[2] within a few Days I think a much deeper Plan has been laid to embarrass his Negociations by instructing him not to consent to an Article in the proposed Treaty which gives the Subjects of the U. Provinces the same Rights as to holding & conveying Estates, as the French Subjects have, altho it is almost certain that the Plan of a Treaty has been communicated long since to the Dutch, but this Matter will I believe end like the former. We have heard very little lately from the Financier—he has certainly been very usefull & therefore with the great Powers given him, should be watched. Not the most distant Hint has reached us from any Quarter, as to the Designs of the british Ministry. I believe they are exceedingly embarrassed in forming any Plan if they are not warring with each other. Mr. Izard thinks they must be greatly divided. We are on the Brink of Insolvency again for Want of some Supplies. France supplies scantily & of the Sum she has this Year advanced, not a Shilling is to come to America in Cash, Dr. F. is too old or too busy or —— to be very minute in his Accts. Of the Application of these Monies, large Sums have been retained in his Hands. I have been amazed to hear that any Doubt could be created on the Question of the Impost's Bill's being a Law. I know of no Case in which Sunday is not computed in Law Reckonings. I hope the act will be daily more popular, such a Fund as that is designed to be, is very necessary at this Time. Great Commotions have taken Place in this City on the Knowledge that Bills will be no longer drawn for the Interest of Loan Certificates. France has absolutely refused to furnish any more Money to be applied to this Use & there is no other but what may arise from the Impost which can be applied to this Use. I shall be with you I suppose before the next Meeting of the General Assembly.

I am with much Esteem, your Friend & Servt, JLowell

RC (NN: Samuel Adams Papers).

[1] That is, Benjamin Franklin and John Jay.

[2] Lowell was a member of a committee to which recommendations on the salaries of the American ministers abroad had been referred. The "disagreable Distinction" in the salary recommended for John Adams had originated with the secretary for foreign affairs, Robert R. Livingston, and had been preserved in the original committee report on Livingston's recommendations that had been referred to Lowell's committee. The report of Lowell's committee, which was read in Congress on June 14, recommended equal salaries for Adams, Franklin, and Jay from January 1st 1783, but no action had been taken on the report and the issue had become fundamentally transformed by the time debates were held on the recommendations of successor committees in November 1782 and April 1783. See *JCC*, 22:255–58, 306–7, 332–33, 24:312; and Madison, *Papers* (Hutchinson), 4:278–82, 5:298–300.

John Taylor Gilman to Josiah Bartlett

Sir, Philadelphia July 9. 1782

I take this Opporty to write you by Mr. Smith of Boston. The United States being informed by Doctr. Franklin's Letters, that France did not hold themselves obliged to pay any more Bills for Interest due on the Loan Office Certificates and that they would be protested if drawn, a Committee was appointed to Consider of this Subject & report to Congress, the Substance of which report was that no more Bills Shoud be drawn for payments of Interest.[1] While this report was under Consideration a Memorial was presented signed by some of the Citizens requesting that Congress would postpone their Determination on this Subject untill they could have a Meeting of the Holders of Loan Office Certificates.[2] You will see by the News Paper what the Citizens have done. Some are for appropriating the five per Cent Impost for the purpose of paying the Interest on the whole Loans, others for funding those Loans which were made prior to the first of March 1778, and that this Interest shall be first discharged, but How can Congress appropriate a fund which is not yet granted to them? What will take place I cannot say. We have no late News from Europe. Their are several reports in this City respecting Two Actions at the Southward in both which it is said Our Troops were successfull, but nothing to be

Depended on, it remains uncertain whether there has been any actions or not. In my Letter of the 26th Ultimo to the Honble. the President, I urged that the State should be represented here, perhaps it may be thought by some, that I say too much on this Subject but I am Confident if such persons were here they would alter their Sentiments. The Vote of One State in Thirteen is of some Importance. There are many things absolutely necessary to be reformed, notwithstanding all our reformation plans we are now paying a large Number of Civil & military Officers who are doing us no Service. Figure to yourself Sir the pay and subsistance of at Least Thirty Field Officers, Eighty Captains & 160 subalterns besides a Number of General & Staff Officers (all belonging to One State) who have not private Soldiers Enough to give each Officer a Servant, & in other States their are regiments fully Officered who perhaps have not Ten Private soldiers belonging to them—and these States will perhaps have almost as large Accounts against the united States as some others who keep up a good proportion of Soldiers by reason of their almost numerous Officers. I would not be understood as endeavouring to prevent N H from raising soldiers, but I must repeat that I think a Vote here (though very Expensive) should be an Object of the first Consideration Both as it may be of Service to the Genl. Interest of all the States and the particular Interest of New Hampshire, but as I think I have discharged my Duty in this respect I shall Endeavour when I write the State in future to find some other Subject.

The Delegates from Carolinas & Georgia have Money advanced them out of the public Treasury agreeably to a Resolution of Congress passed about One year agone, those who have Families here are to have 200 Dollars per month, those who have not, 150 Dollars per month, to bear their Expenses, which is to be Charged to their respective States, there are five from South Carolina & Three from Georgia now present.

A large Committee are appointed, to report some plan for lessening our Expences, but what they will be able to do I cannott Say. The post Sets out from this place on Wednesdays. I Suppose my Letters do not reach Exeter untill the Friday Fortnight after sending them. Perhaps this may reach you by the Same Post as my Letter to the President of the 3d Instant as Mr. Smith will carry it directly to Boston. I want to hear what has been done at the late session of the Gen'l Court, the Titles of the public Acts with some General Sketches of the most material Business would be very pleasing. One Letter from Collo. Langdon, One from Genl. Whipple & One from Genl. Bellows is all I have received from New Hampshire Since I left there. I Expected Several by yesterdays post, but was disappointed.

Great preparations are making by the minster of France to Celebrate the birth of the Dauphin, on Monday next, it is Expected it will be the most Brilliant affair ever known in America. You will not Consider this as an Official Letter, but Communicate the Same so far as you may think proper.

I should be glad if I had some Agreeable News to Communicate to you, but have not any thing Important. Make my Compliments to the Gentlemen of the Committee of Safety & inform Esqr. Dudley that it is my Opinion he must alter his Opinion respecting our having Peace this year, though every Appearance Seems to Indicate a Very Inactive Campaign.

I am, with much Esteem & Respect, Your Hume Servt.

John Taylor Gilman

P.S. As I have not time to write my Hond Father by this Post your Communicating this to him will be Esteemed a favour.

RC (MeHi: Fogg Collection).

[1] See James Madison to Edmund Randolph, July 2, 1782, note 5.

[2] This "Memorial" was undoubtedly the first of two petitions from a group of Philadelphians read in Congress on July 3 and 8 and referred to the superintendent of finance. See *JCC*, 22:373n.3, 376n.3; and PCC, item 43, fols. 177–86, item 78, 16:303–6. For Robert Morris' lengthy report of July 29 on the public credit, submitted in part as a response to these memorials, see Morris, *Papers* (Ferguson), 6:36–84.

John Taylor Gilman to Meshech Weare

Sir, Philadelphia July 9th 1782.

Inclosed is a Letter for Collo. Bartlett.[1] I am Sensible you consider your-self under Some Obligations, to lay Letters Officially received before the Court, and as it might, (perhaps) be Improper to lay Such a Letter before the public, I thought proper to direct it to him. If he should not be present when you receive it, you will please (after perusal) to Seal it.

Have not any News to Communicate. I have the Honour to be, with due respect, your most Obedt. servt.

John Taylor Gilman

RC (Nh-Ar: Weare Papers).

[1] See the preceding entry.

John Hanson to Thomas Sim Lee

My De[ar sir,] Philadelphia July 9th 1782

The post did not Arrive here till late last night. Your Excellencys favor of the 5th I have just this Moment [received.] I must beg your Excellencys attention for Supp[ort], I [. . .] without cash and am paying at the rate of tw[?] and [. . .] Interest Per month. I have the pleasure to inform you from official Authority, that on the 21st May the Enemy Came out in force from Savannah to Hains's Bridge about Seven miles—where they were met by General Wayn And totally routed.[1] The attack was made about twelve oClock at night by the van-guard of G. Wayns Army which was ordered to Charge & which was done with Such resolution and vivacity as to immediately terminate in the total defeat and dispersion of all the British Cavalry and a large body of infantry the whole Commanded by a Colo Brown. The Enemy plunged in a dispersed manner into a thick Swamp, which and under Cover of the night Screened them from total ruin. They lost a great Proportion of their Arms and Horses Which they abandoned to procure personal Safety. Many are Killed and some wounded—Chiefly with the Sword and Bayonets and a number made prisoners. Between twenty & thirty of [. . .] horses [have] fallen into our hands and Several more were [. . .] on the spot and a great number are yet Straggling in [the s]wamp and such was the dispersed State of the dragoons [and] infantry that they Continued droping in by twos & threes [many] maimed, even Colo Brown and Lieut Colo Ingram did n[ot find their] way to town 'till the second night after the Action a[nd were] unattended.

I have the honor to be with much esteem & regard. Your Excellencys most hble Servt.
J.H.

[*P.S.*] We lost only 5 privates Killed & two wounded.

RC (MdHi: Lee, Horsey, and Carroll Papers deposit, 1985).

[1] Anthony Wayne reported this account of his victory over the British forces defending Savannah in a letter of May 24 to Gen. Nathanael Greene, which Greene enclosed in a May 31 letter to President Hanson that was read in Congress this day. PCC, item 155, 2:457–64.

James Madison to Edmund Pendleton

Dear Sir
Philada. 9th July 1782

The betts which your favr. of the 1st inst.[1] says are still laid on the subject of the naval combat of the 12th of April, are a proof rather of the fashion of the Country than of uncertainty as to the event. Altho' no official accts. have been recd. on the part of our Ally, those which have been published on the other part with the numberless corroborating incidents are too powerful for the skeptical mind. The last *report* from the Cape is that the Fr. & Span. fleets had parted the former with the Trade towards Europe, the latter towards the Havannah. You will observe that this is no more than a report.

The same defect of authentic information applies to every other quarter. The first arrival from Europe will I hope enable me to feast your starving curiosity with a treaty, with Holland, and a prospect of all its salutary consequences, particularly to the Tobacco States. This hope however is not founded on any other facts than those which I have heretofore communicated to you.

Reprinted from Madison, *Papers* (Hutchinson), 4:402–3.
[1] See ibid., pp. 382–83.

James Madison to Edmund Randolph

Dear Sir Philada. 9th July 1782.

Your two favors of the 27th were recd. this morning.[1] I sincerely regret that any reports should have prevailed injurious to the patriotism of Williamsbg. and particularly that my name should in any manner whatever be connected with them.[2] I {informed}[3] Mr. {Jones that the minister of France} had been made somehwat {uneasy by some accounts from Virginia and desired him to enable me to remove it by proper enquiries}. It must have been a very gross mistake that could have {built the reports in question on this letter even if} its {contents had been known}. You saw I presume {the letter}. I think I wrote you {a letter to the same effect but I am not sure}.

The dearth of intelligence which has rendered my late letters so uninteresting, is not yet removed. It is reported that the French & Span. fleets have left the Cape & each other, the former to convoy to a safe distance the trade of that Island, the latter to resume its inactivity & security at the Havannah. This however is mere report. The next arrival from Europe will I hope render my correspondence more valuable. I am exceedingly impatient for the conclusion of a Treaty with Holland. The commercial spirit & views of that nation must produce the most salutary effects to the U.S. & those especially whose staple is Tobacco.

The trade with the Enemy at N.Y. has at length I am told produced spirited & successful exertions among the people of N. Jersey for suppressing it. The same alarm & exertion seem to be taking place in Connecticut. The ordinance of Congress against collusive captures on water has not yet passed. The mode of proof & the distribution of the effects, occasioned some diversity of opinion, & a recommitment ensued.[4] I am not very sanguine that any thing of efficacy will be done in the matter. Notwithstanding the supposed danger arising to the bank from the exportation of hard money to N. York, a dividend of 4 ½ PerCt. for the first half year has been advertized to the Stockholders. Will not this be very captivating to the avarice of the Dutchman in case his apprehension shall be removed by a Political connection between the two Countries?

Mr. Jones writes me that he proposes to set off about the 20th instt.[5] When will you follow him?

RC (DLC: Madison Papers). In Madison's hand, though not signed. Madison, *Papers* (Hutchinson), 4:403–4.

[1] See ibid., pp. 375–76, 379, 404n.1.

[2] For rumors that Madison had impugned the patriotism of Williamsburg, see ibid., p. 379n.3.

[3] Words printed in braces in this text were written by Madison in cipher.

[4] On June 21 Congress had adopted a resolution prohibiting illicit trade with the enemy on land, for which see Virginia Delegates to Benjamin Harrison, April 2, note 1; and John Hanson to the States, June 24, 1782. On July 3 Congress directed John Morin Scott, Abraham Clark, and Arthur Lee to draft an ordinance to halt "pernicious commerce . . . with the enemy, by means of collusive captures on water," which was presented in final form on July 11 and read on three separate occasions before passage on July 17. See *JCC*, 22:383, 384, 392–93; and PCC, item 59, 3:427–29.

[5] See Madison, *Papers* (Hutchinson), 4:365–66.

Virginia Delegates to Benjamin Harrison

Sir Philada. 9th July 1782.

Your Excellency's favor of the 29th of June inclosing a letter to Mr. Irwin & a bill of exchange in his favor from Mr. O. Pollock was received this morning.[1]

The defect of intelligence which rendered our last so uninteresting still continues. In particular we are uninformed of the state & dispositions of the fleets in the West Indies. The report which circulates is that those of the French & Spaniards have left Hispaniola, the former to convoy the Trade of that Island towards Europe, the latter to return to the Havannah.

We have the honor to be with great respect & esteem Yr. Excys. obt. & hbe servts.

J. Madison Jr

A. Lee

RC (Vi: Continental Congress Papers). Written by Madison and signed by Madison and Lee.

[1] See Madison, *Papers* (Hutchinson), 4:377–78.

John Taylor Gilman to William Whipple

Dear Sir[1] (Copy) Philadelphia July 10th. 1782.

I wrote you the 26th Ultimo.[2] Since which I have been with Mr. Morris Sundry times. He Informed me that he had answered your Letter[3] and I have nothing Important from him to write you. I Imagine he has a Private Correspondence with some Gentlemen in Portsmouth by which means he is informed of the particular Circumstances of the State.

A Letter from Genl. Greene of 31st May was Receiv'd Yesterday, in which was Inclosed Copy of a Letter from Genl. Wayne to him giving an Account of an Action near Savannah in Georgia in which a Considerable party of the Enemy were Compleatly Routed,[4] the particulars you have in the News Paper Inclosed. We have no late Accounts from Europe, by the last our Enemy were Endeavouring to make a Seperate peace with the United Provinces, whether they will Effect their purpose, or those States Unitedly Accede to our Independence is at present to us Uncertain.

It is difficult to find out the Intentions of our Enemy. Some people are of Opinion that they will soon withdraw their Troops from us, carry on the War against our Ally & Endeavour by their Emissaries to destroy our present Alliance. Perhaps this mode in General might be good policy for them, but I dare Say they cannott perswade America to break her Engagements with France. There has been a great Bustle in this place some days past on Account of a Resolution (which is now under the Consideration of Congress) to put a Stop to drawing Bills on France for payments of Interest on Loan Office Certificates. This Resolution was produced in Consequence of a Letter from Dr. Franklin Informing that the Bills must be protested if Drawn. The Holders of Certificates in this place have had a Meeting on this Subject and have presented a Memorial to Congress—what will be finally Concluded upon I cannot Say. However disagreeable the measure proposed is, yet if it is Unavoidable it must be taken. A Committee of Congress are Appointed to report some plan for reducing the great Number of Officers who are now in pay of the United States & doing no Service. Figure to your self the Expence of Ten or Eleven Regiments (belonging to One State) fully Officered, and who perhaps have not private Soldiers Enough to give Each Officer a Servant.

Tr (Capt. J.G.M. Stone, Annapolis, Md., 1973). In the hand of John Taylor Gilman, who made and sent this copy after the original had been captured by the British.

[1] Almost certainly William Whipple, in a collection of whose papers this document is located and whose letter to Robert Morris is the subject of note 3 below.

[2] Not found.

[3] See Morris, *Papers* (Ferguson), 5:369, 502. Whipple was the receiver for Continental taxes in New Hampshire. Gilman's father Nicholas was the Continental loan officer of the state.

[4] See John Hanson to Thomas Sim Lee, July 9, note.

Arthur Lee to Congress

To the Honble. the Congress of the United States,
The Memorial of Arthur Lee

[July 12, 1782][1]

Your Memorialist desires to submit to the justice of Congress—that when his Salary, as one of the Ministers of these United States, reported by the Board of Treasury, was resolvd to be due to him, no order was made for the payment of it, as has been done in the case of every other Minister at foreign Courts, so that he coud obtain neither principal nor interest, but only common Certificates acknowleging the debt & promising payment. Your Memorialist begs leave to observe, that not only foreign Ministers have been paid, but even Agents & Factors, who had profits on large sums of public mony advanced to them, have been also paid considerable Sums out of the invoices borrowd in France.

Your Memorialist presumes, that Congress will immediately perceive, that his standing thus the sole object of neglect, not only deprives him of what has been ascertaind as due for his Services, but seems to be a mark of the displeasure of Congress, which he is far from conceiving he has deservd.

He therefore submits to Congress, the justice of ordering the payment of his Salary, with that of his Secretary, directed to be carried to his credit by the Resolve of Augt. 4. 1781,[2] in the same manner as has been done, in the case of other foreign Ministers; that such payment shall cancel the Certificates he has receivd.

Your Memorialist woud have made this representation sooner, but that the facts on which he ground it were not so fully known to him, & he was informd by the Treasurers, that there were no means in their power to pay him, or any other public Creditor.

Arthur Lee

MS (DNA: PCC, item 41). Endorsed: "Memorial of Arthur Lee, to be paid with interest the certificates given for the balance due on accot. of his salary. July 12. 1782. Referred to Mr Witherspoon, Mr Lowell, Mr Middleton."

[1] This day Lee presented a memorial to Congress requesting an order for payment of his salary as a commissioner in Europe. See *JCC*, 22:386n.2. Congress had already acknowledged, the previous August, that £2,238 sterling remained due to him, and loan office certificates payable in one year had been issued. Lee's memorial was referred to a committee which submitted a report on July 18 that was read the following day. Congress accepted the committee's recommendation that bills be

drawn on Benjamin Franklin for the amount due "with Interest from the Time of settling his Accounts," but added "that the Certificates given to Mr. Lee for that Ballance be Canceled." See PCC, item 137, 2:5–6; and *JCC*, 22:337–38, where the report is erroneously entered under the date June 19. Although the resolution was "referred to the Superint. of finance to take order," Robert Morris refused to act without another direct order of Congress, fearing perhaps in view of the controversy over the suspension of interest payments on loan office certificates that he would be accused of favoring a member of Congress over other certificate holders. It was not until November 14 that Morris sent a report to Congress seeking authorization to exchange Lee's certificates for bills of exchange drawn on France, a request that Congress approved on November 18. See *JCC*, 23:727–28; PCC, item 137, 2:1–4; and Morris, *Papers* (Ferguson), 6:507n.2. See also Charles Thomson's Notes of Debates, July 25, 1782.

[2] Actually August 6, 1781, for which see *JCC*, 21:832–34.

Georgia Delegates to John Martin

Sir,

Philadelphia July 13. 1782

We do ourselves the honor to reply to your Letter of the 14th March delivered us by the honorable Colo. Few, and beg leave to return our best thanks for the information therein contained.

We had prior to the receipt of it, and after much patience and exertion obtained a supply of Arms, Ammunition, and some Clothing which was sent to the State by Genl. Twiggs & Colo McMurphy & are hopeful it has long since reached you in Safety. We can by no means flatter you with any additional supplies. By the Fininciers Letters you will be very competent to judge of the situation of our Finance, and at a time when pressing Applications are making to the respective States for money, it will be a difficult point to prevail on Congress to advance any part of it, on Loan or otherwise to any one of the States, Altho it is certain that motives of humanity and justice ought to prompt some additional Aids, Notwithstanding we are satisfied such cannot be obtained.

It will not admit of a doubt but that our Country after all will do well, temporary distress, hardship & difficulty, time will Surmount. The virtue of 1775, with the exertions of subsequent years will guide us in safety and lead in the straight path to peace & Independence.

In our Letter by Genl. Twiggs to the Assembly[1] we touched on the propriety of Continental aid, and are happy to understand that the Assembly are making exertions tending that way—and we are sanguine in measures being pursued to Accomplish this very interesting event. Even One hundred & fifty men will give relief to our Militia, and thereby enable them to remain at their homes (except on particular or pressing Occasions, by which means they will be fully enabled to provide for their Families & perhaps something to spare for the immediate support of the Soldiery.

The only mode you can pursue to obtain any payment on Account of Any State supplies to the Army will be by and through the channel of Genl. Greene, who may for some Particular articles of supply, and from a full conviction of your wants indulge you. This ought to be done with great delicacy and only for Special and particular purposes the article of Salt is one, and some others will readily Occour.

We think it best to give you our Opinion on some words in the Delegation that appear to have been Omitted, and may if not revised by the Assembly previous to January be the means of the State being without a representation from the first Tuesday in January until the new Delegation may appear, which we conceive was not adverted to at the time of the Resolution.[2] The Delegation ought to run *any two or more*, and after the first Tuesday in January, *until others shall be appointed*. We only mention this a[l]teration as necessary to continue the representation in Congress, until the State can send a new Delegation and are hopeful the Assembly will enable you to make the necessary Amendments to it, without which We must on that day walk out, and quit our Seats in Congress, Until another Delegation shall arrive.

You have no doubt heard of a total change of the British Ministry, and their intentions of changing the system of War in America. These are circumstances that we consider by no means favorable to conclude the War speedily with the States, and ought rather to alarm and call forth our utmost exertions, than to lull us into ideal security. It is evident the Pride & Ambition of that Nation, is not yet sufficiently humbled, to agree to our Independence & Alliance with France, nor have we any reason to believe but that Britain will exercise every means in her Power to effect her Nefarious purposes.

We have the honor to be, sir, Your mo Obt. Servts.

Edwd. Telfair

NW Jones

W Few.

RC (GEU: Trust Company of Georgia Collection). Written by Telfair and signed by Telfair, Few, and Jones.

[1] Not found.

[2] The January 9 assembly resolution electing the Georgia delegation for 1782 was incorporated into the credentials signed by Governor Martin on February 10 and presented to Congress on May 1. See *JCC*, 22:220–21; and *The Revolutionary Records of the State of Georgia*, ed. Allen D. Candler, 3 vols. (Atlanta: Franklin-Turner Co., 1908), 3:58. This warning to the Georgia assembly proved to be prophetic, however, for the last of the present delegation left Philadelphia by early November 1782 and the state was not represented again until the summer of 1784 despite frequent entreaties from Congress, for which see *JCC*, 24:143, 25:836, 26:74–75.

In the accounts he submitted to the Georgia treasurer in February 1783, Noble Wimberly Jones claimed 401 days attendance in Congress from September 27, 1781 to November 1, 1782. Noble Wimberly Jones Manuscripts, NcD.

John Hanson to Philip Thomas

Dear Doct. Philadelphia July 13th 1782

Mr Snutzell is just returned from a fruitless Expedition to New York. He lets me Know that he Shall Set off for Frederick in about half an hour—it is reported here that the Enemy have Evacuated and Burnt Charles Town. Snutzell says it was also so reported in New York. Should this be true it is a notable Specimen of their System of Carrying on a defensive War. I wish the account may be true it will at least give peace to that part of the Country. Your mother has lately had a pretty severe fit of the Cholick, but is now much better, little Kitty and my self are very well, that this may find you and the Children so is my hearty prayer. Have not received Mr W.P.s order for the £100. I wish I had it, farewell. Yrs.

J H

[*P.S.*] Compliments to Colo Price and his Lady and all friends in Frederick.

RC (MdHi: Hanson Letters).

Benjamin Huntington to Andrew Huntington

Sir Philadelphia July 13th 1782

I Recd of Letter and Papers Inclosed[1] and laid the Same before a very Candid Committee who Reported that as the Account appeared to be settled by Col Trumbull the same be laid on the Table, which indeed was the fate I expected it would meet with.[2] Congress in the year 1780 on a Long Debate Refused to Reconsider Accounts, once settled in Continental Money upon Principle that a Debt being once extinguished by Payment with Consent of the Party no further Demand in Law or Equity could Remain and furthermore that a Reconsideration of Matters of that Kind would be endless and Impossible.

Another Difficulty in your Case is that Congress cannot settle with Individuals who Contracted with the Heads, or agents of the Several Departments. This would likewise be an Endless Business. It is a great Pity your Account is Closed in the manner it is. By the Resolves of Congress of the 26th of August 1780, 16th of March & 22d of May 1781 Rules are Given for Settling with the Creditors of the United States for Supplies furnished the army.[3] If Col Trumbull has it in his Power he will certainly make the Just Allowance.

No public News of Importance but what appears in the Papers. Congress are informed that the Interest of Continental Loans can no longer be Paid in France. The Holders of Certificates in this City have met & Petitioned that another mode of Payment may be Provided and that the Interest of Monies Loaned since the first of March 1778 may be also Paid. The Matter is yet in Agitation.

I am with Esteem your Friend and Most Huml Servt,

Benj Huntington

RC (MH). Huntington-Wolcott Papers).

[1] See Huntington to Huntington, June 17, 1782.

[2] *JCC*, 22:370. Andrew had accepted a settlement of his accounts from Col. Jonathan Trumbull, Jr., he had explained in his May 30 letter to Benjamin, "& Recd the Ballance in old Continental money when it was a Penny the Dollar upon his Assurance that Congress would do me Justice in the Affair." See PCC, item 78, 11:464–70, 12:217–19.

[3] See *JCC*, 17:784–85, 19:266–67, 20:524–25.

James Duane to George Clinton

Dear Sir Private Philad, 16th July, 1782.

I am much obliged to your Excellency for your favour of the 11th by Mr. LeRoy and particularly for the Attention you pay to what regards me personally. I shall suffer great Embarresments if no provisions shoud be made for my Reimbursement and I shoud be continud on the List of ordinary Creditors of the State.

The Bills on France I shal retain til I have your further orders how to dispose of them; unless I shoud meet with an opportunity to negotiate them at the limited Exchange.

I shall not neglect to apply for the naval Commissions & transmit them. Mr. LeRoy's unexpected departure puts it out of my power to consign them to his Care.

General Scott retains his Resolution to visit his Family and I shall be in pain to see the state so soon again unrepresented. I, therefore, hope one of my Colleagues will come forward without loss of time.

I wrote largely to your Excellency by last post but the Letter was intercepted.[1] If Sir Guy does not publish it, he will have more politeness than his Predecessors. I am in no pain for the Contents. The most [. . .][2] subject was the Light in which the Declarations of Several Legislatures on the Charge of the British ministry and their fixed purpose to adhere [. . .] to our federal Union and National Treaties, was considered here; and an enumeration of some of the good Consequences which may be expected from this seasonable and Judicial measures. They will undoubtedly occur to your Excellency and need not be enlarged upon. A long letter to General Schuyler giving an Account of my wants and some strictures on publick affairs was intercepted at the same time.[3] Nothing can be achieved from it that will give the Enemy Information or pleasure: Unless they can be gratified at the pecuniary misfortunes of an Individual.

We have no news from Europe or the West Indies; nor any domestic Incident worth relating. The late papers are, however, enclosed.

With every sentiment of the most respectful attachment I beg you will believe me to be, Dear Sir, Your Excellency's affect. & most obedt Servt, Jas. Duane.

Reprinted from Clinton, *Papers* (Hastings), 8:14–16.

[1] Not found.

[2] Hastings noted: "MSS illegible."

[3] Not found; but for a summary of the letter, see Duane to Philip Schuyler, July 18, 1782.

James Duane to Mary Duane

Philada. July 16t. 1782

The Letter my dearest Polly which I wrote you by the last post[1] was intercepted with several others between Bristol and Trenton and carried into New York for the Amusement of Sir Guy; probably he will not think it worth publishing. You will however give me Credit for it.

I was made very happy by your Agreeble favour by Mr. Le Roy. General Washington had Just before [receive]d one of your Health. The Circumstances you mention respecting our little Darling are very pleasing; & I hope now she has no Rival with her Nurse she will thrive and that on my Return I shall find her a fine Girl. The nurse will not I hope be in the worse Spirits for the Chints Gown I send her which cost 15/9 our money a yard. Mr. Le Roy also takes charge of the articles our Daughter Polly desired me to send her vizt 1/4 pound of thread, 2 millinet handkerchiefs, 4 pair of stockings and a pair of Satinet shoes.

I am much pleased that you had an opportunity of shewing your Respect for Mrs. Washington who deserves every possible mark of Esteem.

Mr. Le Roy goes away unexpectedly and I am much hurried with business which prevents my enlarging. Present my cordial Regards to all our Friends. Kiss and bless for me our dear Children and believe me ever, My dearest Polly, your truly faithful & Affectionate husband, Jas. Duane

[*P.S.*] Present my particular Regards to Brother John & his Lady and Congratulate them for me on the birth of their Son which I had the pleasure of learning from Mr. Le Roy.

If I shoud not make out to write to Brother Robert present my affectionate Respects to him & tell him I am exceedingly obliged by his kind attention in writing to me & shall not fail to answer it.

RC (NHi: Duane Papers).

[1] Not found.

John Hanson to Philip Thomas

Dear Doct. Philad. July 16th 1782

I am favoured with yours of the 8th with the paper inclosed wch I shall Send to the press. Who is Mr. P's Correspondent? Have heard nothing of the order. We have had no intelligence lately respecting the French and British fleets in the West Indies—during the Hurrican months, it is probable they may Come this way, the British to N York and the French in the Chesapeak. Lippincot is not yet given up. G. Washington writes that Sr Guy had informed him, that the Court Marshall had given their Sentence, but does not mention what it is, that he should send him the minutes of the proceedings with some other documents from this it may be concluded that Lippincot is Acquitted. I set up very late last night at the Ministers entertainment for the Dauphin, I shall not attempt a description of it. It far surpassed my expectations. We Shall have it in the papers. It is said a vessel is arrived at Baltimore with an Amsterdame paper which mentions that the States General have Acknowledge our Independence, if this be true, the Combined fleets of France, Spain and Holland will be far Superior to the British. We are well. God Bless you and the Children. Accept of our Love, which please also to present to Mr. [and] Mrs. Harrison and the family. Pray how is Mrs W Potts. I wrote you by Snutzell and inclosed several news papers.

RC (MdHi: Hanson Letters). In Hanson's hand, though not signed.

James Madison to Edmund Pendleton

Dear Sir, Philada. July 16th. 1782

Your favor of the 8th. instant[1] escaped the danger of late incident to the post; the robbers having removed to the Northward for the purpose of attacking the Eastern mail which fell into their hands

best copy available

near Trenton last week. It is said to have been the identical party.[2]

I am not yet so happy as to be able to transmit the expected intelligence from Europe, no vessels having arrived from that quarter or from the W. Indies. Our only news is a report that Charlestown has been evacuated & burn[ed]; of which you will be a better judge than I am.

Genl Washington & Ct. Rochambeau met here on Saturday evening.[3] The object & result of the consultations belong to the military cabinet.

Genl Carlton in a correspondence with Genl W. yesterday laid before Congress[4] complains much of legal proceedings agst. adherents to the British cause, as Traitors, adopts the maxim that "in a civil war between people of one empire there can *during the contest* be no traitors at all." and asks a passport for Genl Robinson & Mr. Ludlow to confer & settle arrangements on that idea. He at the same time and from a similar policy, proposes in order to remove our objection agst. exchanging B. soldiers [*and*] Amer. seamen, that the latter shall be free & the former restrained from serving *agst. the 13 Provinces* for one year, within which he is sanguine an end will be put to the calamities of the present war.

Other parts of the letter which speak of Lippincut make it probable that Asgil will at last be left to expiate the guilt of this mu[r]derer. Having less time for preparing the post than I usually devote to my friends I must conclude abruptly with begging an excuse for the defects which render this scarcely legible or intelligible.

Reprinted from Madison, *Papers* (Hutchinson), 4:415.

[1] Not found.

[2] For the recent robberies of the eastern and southern mails, see John Hanson to Certain States, June 19, 1782, and Madison, *Papers* (Hutchinson), 415n.2.

[3] Madison's information was incorrect. Although Rochambeau had arrived in Philadelphia on Saturday, July 13, Washington did not reach the city until the following day, and their major conference was not held until July 19. See Washington, *Writings* (Fitzpatrick), 24:425, 430, 432, 433–34.

[4] For Washington's July 9 letter to Congress enclosing extracts of eight letters exchanged with Sir Guy Carleton and others from May 1 to July 7, see *JCC*, 22:388n.3; PCC, item 152, 10:595–98, 613–32; and Washington, *Writings* (Fitzpatrick), 24:220–21, 324–25, 372–73, 405–6. The correspondence, concerning the application of state treason laws to prisoners of war, was referred to a committee of three that proposed on July 29 conditions under which a general cartel for the exchange of prisoners could be negotiated. This report was referred, however, to a committee consisting of John Lowell, Ezekiel Cornell, and Madison which reported on August 12. In the meantime, other letters from Washington relating to prisoner exchange were received and referred to two other committees, one of which also reported on August 12. For the work of these committees, see *JCC*, 22:421–22, 456n, 460n, 23:461–64; PCC, item 186, fol. 48; and John Hanson to Washington, September 1, 1782.

James Madison to Edmund Randolph

Dear Sir Philada. July 16th. 1782

Notwithstanding the defensive professions of the Enemy they seem to be waging an active war agst. the post riders. The mail for the Eastward on Wednesday evening last shared the same fate which the Southern mail did a few weeks ago, and it is said from the identical villains. This operation has withdrawn them from their Southern stand, and secured the arrival of the mail which brings your favor of the 5th inst.[1] I fully concur in the change of cypher which you suggest, and understand the reference for a key-word.[2] I have been in some pain from the danger incident to the cypher we now use. The enemy I am told have in some instances published their intercepted cyphers. On our first meeting I propose to prepare against another separation, a cypher framed by Mr. Livingston on a more enlarged and complicated plan than ours, of which he has furnished me several blank printed copies.[3]

Your computation of the numbers in Virga. tallies very exactly with one transmitted by Mr. Jefferson in an answer to several queries from Mr. M——s.[4] It is as accurate as the official returns to the Executive of the militia would admit. His proportion of the fencibles to the white souls is stated precisly as your computation states it.[5]

You will continue your information on the case of the flag and send me the acts of the Legislature as fast as they are printed. Will you be so good also as to obtain from the Auditors a state of the balance due on the principles established by law, and let me know when & how it is to be applied for? As also what chance there is of obtaining a regular remittance of future allowance?

Genl Washington & Ct. Rochambeau met here on Saturday evening. The object of their consultation is among the arcana of war.

A despach from the Commander in cheif communicated to Congress yesterday a late correspondence between him & Genl Carlton, principally on the subject of two traitors who under the cover of a flag of truce exposed themselves to arrest in New Jersey, and had sentence of death passed upon them. Genl. Carlton among other observations on the Subject, says that "In a civil war between people of one empire, there can during the contest, be no treason at all"—and asks a passport for Genl Robinson & Mr. Ludlow to confer with Genl W. or persons appointed by him, & to settle arrangements on this idea. Genl. W. declines the conference, observing that the proposed subject of it is within civil resort. Whereupon Genl. Carlton asks—Am I to apply to Congress to admit persons to conferences at Philada.? can any deputation be sent by Congress to your camp to meet persons appointed by me? or will you Sr. undertake to manage our common interest? The drift of all this need not be pointed out to you. As a counterpart to it the British Genl. proposes, in order to remove all objection to an exchange of Soldiers for seamen, that the latter shall be perfectly free, and the former subject to the condition of not serving *agst. the 13 Provinces* for one year, within which period he is very sanguine that an end will be put to the calamities of the present war.

The same despatch informs Congress that a party of the Enemy have lately made a successful incursion upon the settlements of Mohawk, have reoccupied Oswego, and are extending themselves in to the Western country. However little these movements may coincide with a defensive plan, they coincide perfectly with ideas which will not fail to be urged at a pacification. Messrs. Montgomery & Root returned yesterday from their Eastern deputation.[6] They have not yet made their report. The former complains that several {of the States}[7] are {appropriating the taxes which they lay as their quota of the eight million to internal uses—He owns that the knowledge he has obtained of the case} has {changed his mind on that head} and {that if the ground was to be trodden over again he should take a very different part in Congress. He adds} that the current opinion is that a vessel arrived at Quebec brings a {royal charter} for {Vermont}. That the people there are {in much confusion} and {many of them disposed to reunite} with {N. Hampshire}. A letter to Mr. Livingston from Mr. {Livermore} corroborates this good news. It imparts that a very unexpected turn had taken place in the temper of the people {between the river} and {the ridge} that they were {petitioning New Hampshire to be restored to} that {state} and that measures would be taken in concert with {New York} for that purpose. The revolution in the {sentiments of M——g——y} may be owing in part {to the new relation in} which {Pennsylvania stands} to {Connecticut} which he says is governed on this occasion by interested {individuals}. The controversy between Pena. & Connecticut will I suppose be now resumed & put into a course for decision, the return of Mr. Root having removed the cause which suspended it.[8]

In the beginning of this month Committees were appointed in pursuance of a previous Resolution for such an appointt. every half year, to examine into the proceedings of the several executive departments & make report to Congress. This plan adopted not only to discharge the general duty of Congress & to satisfy their constituents, but also that such reports might shelter in some degree faithful officers from unmerited imputations & suspicions, as well as expose to just censure those of an opposite character. For reasons which will occur to you {Doctor Lee was sent into} the department of Finance.[9] The {Doctor} is endeavouring I am told Contrary to the object in view to go into an investigation of the {contracts in trade} allowed by Congress. All the movements of {Doctor} are pointed directly or circuitously either to {Morris or Franklin}. This cypher I find is extremely tedious & liable to errors.

Genl Carlton in his letter to Genl Washington above quoted, says with respect to Lippincut only that the Ct. had passed their judgment and that as soon as the length of the proceedings would admit, a copy should be sent to him. It is inferred that this murderer will not be given up, and Consequently a vicarious atonement must be made by the guiltless Asgill.

Our expected news from Mr. Adams is not yet arrived, nor any news whatever from Europe. The same continues to be the case with respect to the W. Indies. The reports for several days have turned on the evacuation & burning of Charleston. If there be any truth in either of them, you will have heard a confirmation before this reaches you. The former is as probable as the latter is otherwise, unless it may have been the effect of chance, or the hand of some desperate refugee.

You never touch on the time of your visit to us, a point on which I am you know not a little anxious. Mr. Jones is detained I perceive[10] by a mode of supply from Mr Ross which has only a retrospective efficacy.[11]

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:417–19.

[1] See ibid., pp. 394–96.

[2] Madison agreed with Randolph that to safeguard their correspondence they would employ a second cipher to supplement the official Virginia cipher, for which see Virginia Delegates to Benjamin Harrison, April 23, 1782, note 5. As Randolph suggested in his letter of July 5, "I wish, that on future occasions of speaking of individuals, we may use the cypher, which we were taught by Mr. [*James*] Lovell. Let the key-word be the name of the negro boy, who used to wait on our common friend Mr. Jas. Madison [*Sr.*]" To the word "name" Madison footnoted at the bottom of the page, "probably, *Cupid.*" For an explanation of Lovell's cipher and the use that Madison and Randolph made of it during the summer of 1782, see Ralph E. Weber's *United States Diplomatic Codes and Ciphers, 1775–1938* (Chicago: Precedent Publishing Co., 1979), pp. 27–28, 35, 95.

[3] It is not clear which of several codes used by secretary for foreign affairs Robert R. Livingston that Madison may have had in his possession, but for a description of these various nomenclators, see ibid., pp. 82–88.

[4] That is, the marquis de Barbé-Marbois.

[5] For Randolph's calculation of Virginia's militia and white inhabitants, see Madison, *Papers* (Hutchinson), 4:397n.13, 398nn.14–15, 419n.5.

[6] For the "deputation" of Joseph Montgomery and Jesse Root, see John Dickinson's Notes, May 31, 1782, note 1.

[7] Words printed in braces in this text were written by Madison in cipher.

[8] See Connecticut Delegates to Jonathan Trumbull, June 5, note 3, and July 1, 1782.

[9] See Committee on the Department of Finance to Robert Morris, July 19, 1782, note 1.

[10] For Joseph Jones' letter of July 8, see Madison, *Papers* (Hutchinson), 4:399–400.

[11] The closing and signature are illegible.

Charles Thomson to John Barry

Sir, Secretary's Office July 16th. 1782

Pursuant to the orders of Congress I enclose the copy of a report of a Committee appointed to examine you touching the loss of the Ship La Fayette, which you will please to compare with the log book of the Alliance, and if there should be any mistakes in the report, to correct them and return me a fair copy signed with your name and sworn to, together with an Attested copy of Capt. Robinson's letter referred to in your Information.[1]

I shall be much obliged if you will take the trouble to send a duplicate and triplicate by different posts or conveyances.

I wish you a successful Cruise, and am Sir, Your Obedt. humble servt.

C.T.

LB (DNA: PCC, item 18).

[1] For the enclosed report "touching the loss of the Ship La Fayette," which was the work of Arthur Lee, see *JCC*, 22:386–88; and PCC, item 19, 1:225–28. For Captain Barry's August 1 response to Thomson, along with duplicate and triplicate responses addressed to President John Hanson and both the original and an attested copy of Capt. William Robeson's "referred to" letter to Barry, see PCC, item 78, 4:307–14, 321–34.

Virginia Delegates to Benjamin Harrison

Sir, Philadelphia July 16, 1782

We had the honor of receiving your Excellencys Letter of the 6th.,[1] together with one of the same date from the clerk of the Council, enclosing the Resolutions of the Assembly on the Supplies requested from his most Christian Majesty.[2]

The Resolutions we immediately transmitted to the minister of France.

We shall inform your Excellency from time to time, of the proceedings of the several Legislatures touching the seizure of british Goods. That of N. Jersey has lately passd an Act for this purpose.

It gives us very great pleasure to be informd, that an effective Law is at length passd, not only for the good of the Service, but because, though many other States are equally deficient without equal reason, yet the whole odium is centerd upon Virginia.

We have informd the Delegates of S. Carolina, of what your Excellency mentions. Those of N. Carolina are not here. Still we are without any intelligence from Europe or the Islands. Genl. Washington & Count Rochambau are at present in this City, to consult on the operations of the Campaign.

There is a report here from N. York that the Enemy have evacuated & burnt Charles-town, & sent the garrison to the W. Indies. Sir Guy Carelton is so desirous of retreiving the Soldiers we have taken, that he offers, if we will exchange them for Seamen, to stipulate that they shall not serve against the United States during twelve months. But he will find this artifice, somewhat too shallow for his purpose. Lippencut is not, nor is it expected he will be, given up.

We have the honor to be, with great respect, Yr. Excellency's most obedient & most humble Servts. Theok. Bland Jr

A. Lee

RC (Vi: Continental Congress Papers). Written by Lee and signed by Lee and Bland.

[1] See Madison, *Papers* (Hutchinson), 4:412–13.

[2] Not found, but for "the Resolutions," see ibid., p. 325n.3.

John Taylor Gilman to Meshech Weare

Sir, Philadelphia July 17th. 1782.

I wrote you the 9th Instt. by a private Conveyance to Boston, after which Letters were received from Genl. Greene giving Account of an Action between Our Troops, under the Command of Genl. Wayne, and a party of the Enemy in which the latter were Compleatly routed. On the 10th Instt. I wrote you.[1] Inclosing an Account of that Action. The Mail (inwhich was this Letter & One other from me to Genl. Whipple)[2] was taken about Twenty five Miles from this City, on this Side Trentown by a party of about Twelve Men, it was about Noon when they Seized the Post-Rider, and One part of them carryed him to the Woods, and kept him Confined untill the Evening, while others carried Off the Mail.

Lieut. Blanchard was with me some days Since he Informed that he had come by the Appointment of the Officers &c of the New Hampshire Line to see if a Settlement for their Wages & Subsistance Money could be made here. After Inquiry he says it will be done, that he is going to New Hampshire and shall there Endeavour a Settlement to the first of August 1780, and shall then Apply to the Financier for a Settlement of the Sums due after that time. I have made Enquiry and Cannot find that any State has settled with their Troops for Depreciation &c. further than August 1780. (Excepting Massachusetts & am not particularly Informed what they have done.) The general Idea seems to be that their is not any Resolutions of the United States Requiring the Several States to make Settlements after that time, and perhaps it would be more Equal if the whole from that time was to be Settled by the United States.[3] A Report prevails here, that the Enemy have Evacuated Charlestown & Savannah, and that they have Burned those Towns, but the Accounts are not Authenticated.

I have the Honour to be, with due Respect, Your most Huml. Servt. John Taylor Gilman

RC (Nh–Ar: Weare Papers).

[1] Not found.

[2] See Gilman to Whipple, July 10, 1782.

[3] Gilman resumed discussion of this question in his letter to Weare of August 5.

David Howell to Silas Talbot

Sir, Philadelphia 17 July 1782.

Your account is yet in the hands of the Auditor. I have had repeated interviews with him & the Comptroller on the Subject; I have examined the resolves of Congress & pressed every argument in your favour; but am obliged at length to inform you that their result is—That the resolve of 10 April 1780, for allowing Depreciation, including only *those at that time actually in the Land service, or That should thereafter engage to serve therein during the War,* does not extend to your case: Inasmuch as by a Resolve of September—1779 you was appointed a Captn. in the Navy, and your pay & Emoluments as a Land officer were to cease during such service. The Auditor therefore, informs me that he can only allow you nominal pay 'till the commencement of your actual service in the Navy.[1] This Period he cannot exactly ascertain, and wishes you to certify it to him as soon as may be.

Waiting your reply & further directions, believe me to be, Sir, your sincere Friend & humble Servant, D Howell.

P.S. Best regards to Col. Richmond & all Friends.

RC (CtMyMHi: Talbot Papers). Addressed: "Lieut Col. Silas Talbot, Providence."

[1] Congress granted Talbot a special exemption from this policy on October 22 when it instructed "the Superintendent of finance, to cause the account of the said Silas Talbot to be adjusted and settled as a lieutenant colonel in the army of the United States, notwithstanding the resolution of Congress of the 17 September, 1779, appointing him a captain in the navy." See *JCC*, 23:681; PCC, item 41, 10:169–72; and Howell's letters to Talbot of August 3, 20, 28 and October 14 and 23, 1782.

David Ramsay to John Eliot

Philada. July 17th 1782

Many thanks to you, my dear friend,[1] for your polite letter & for the orations, the first packet of which have come to hand. Warrens, Hancock's & Austins seem to me to have a preference in the collection.[2] I wish that you would institute annual orations on the anniversary of independence, or of the signing the alliance with France. On the 4th of July 1778 I attempted a little matter of this kind in Charlestown of which I have not a single copy or I would send it.[3]

We hear that Charlestown is both evacuated & burnt. This will add the finishing stroke to the sufferings of our exiles, who consoled themselves with the idea of reposessing their habitations.[4] For my own part, I can as readily go down stairs as go up. In a short life I have known the conveniences and inconveniences of both poverty and riches, & find as to the real enjoyment of life there is very little difference. The man who lives according to nature can never be poor, he who lives according to fashion & opinion can never be rich. I wish to be one of the first class, & can therefore make myself happy in every state and condition. One thing is consolatory that though the burning of the town would accumulate distress on individuals, it would be a public advantage as the enemy would then be confined to the single spot of New-York. Partial evil-Universal Good alleviates the distresses of our suffering whigs. I do not mention it as certain, that this event has taken place. It comes by the way of New-York in a vessell of a short passage from Charlestown; but a number of concurring circumstances give probability to the report. If Charlestown is evacuated I think it probable, that the French army will move northwardly, [& p]erhaps a vigorous cooperation would make them evacuate New-York. This would well repay the continent for the loss of Charlestown.

I am glad to hear that your ladies think you are so attached to Philada. as that they suppose you will soon repeat your visit to this city. I can assure you that there are many here of both sexes who would be glad to see you. For my own part, I shall ever rejoice in having formed so valuable a connexion, & shall be happy in your correspondence; but, much more so in your company. Perhaps the time may come, when we may meet in Philada., Boston or some future Charlestown. With the greatest respect, & regard, I am your friend & very humble servt, David Ramsay

RC (MHi: Andrew-Eliot Papers). Addressed: "Revd. John Eliot, Boston. Free. David Ramsay."

[1] John Eliot (1754–1813) was pastor of the New North Church in Boston. Ramsay, *Writings* (Brunhouse), p. 70n.

[2] Since 1771 the town of Boston had printed the orations delivered each year to

commemorate the Boston Massacre. Of the twelve issued by 1782, Ramsay appeared to "have a preference" for the orations delivered by Joseph Warren (1772 and 1775), John Hancock (1774), and Jonathan Williams Austin (1778). The orations were published as a set by Peter Edes in 1785, for which see Evans, *Am. Bibliography*, no. 18,997.

[3] That is, Ramsay's *Oration on the Advantages of American Independence* (Charleston: John Wells, Jr., 1778). Ibid., no. 16,026.

[4] Ramsay and his fellow South Carolina delegates took various steps at this time to settle personal accounts and to alleviate "the sufferings of our exiles" by drawing on agent John Ross for $50 on July 20 for a "Mrs. Buchin" (MS 3269, OClWHi); for $500 on July 25 for Josiah Smith (*Historical Magazine and Notes and Queries*, 2d. ser., 4 [November 1868]: 254); for £45 on July 26 for "Wharfage and Pilotage" for three flags bound from New York to Charleston (Signers of Declaration Collection, NNPM); and for $500 on July 30 for Arthur Middleton (Emmet Collection, NN).

James Duane to Philip Schuyler

My dear Sir Philad. 18 July 1782

I wrote you a long Letter which was intercepted with the Post[1] and has contributed to the Amusement of Sir Guy Carleton; and if he follows the Example of his *great* Predecessors will in due time be served up to the Publick *a la Rivington*. Of this Epistle I kept no Copy but it contains some political Strictures on publick affairs and some Reflections on my own Circumstances. Unless it is a Reproach to become poor in a good Cause I shall have no Occasion to blush for a single Sentiment tho' I have written it with unreserved Confidence to a Friend for whom I with hold nothing.

I expressed the feelings of my Heart on the very friendly and affectionate manner in which you advise me on the Subject of my own private Concerns; and I repeat it that this Instance of your Sensibility toward me has made the deepest Impressions and convincd me that I was not mistaken when I so freely opened my affairs to you and wished for your Council. I explaind—I am giving an Account of the intercepted Letter—I explaind the Necessity—as I must change the Domestic Situation of my Family—of obtaining from the Legislature a Reimbursement of the Advances I procured for their Honour to pay my Expences on the Delegation; and how destructive it woud prove to every Exertion I can make for my Family if that money is withheld. On the late Statute of our State for giving Peace to the Citizens on the North East, I observed that I had long since formed a fixed Resolution to object to no measures which might be adopted for Restoring our *internal* Tranquility, even if by those measures my private property shoud be made a Sacrifice; adding this single Reflection "that my Passivity coud not alter the Dictates of Justice."

I lamented the Fate of the Land Office bill And pointed out the Weakness of that Policy which while it was operating to Cure the

Evils of a Controverted Jurisdiction which had been so severely felt in one part of the State: did not extend itself to another part where similar mischiefs were daily to be apprehended.

I took Notice of the good Effects which woud probably result from the Declarations of several of the Legislatures occasiond by the late Changes in the British Administration and their project of a *defensive* war, and Scheme of Conciliation—And concluded that nothing coud lend more effectually to put an End to the Delusive Expectation that this Country woud prostitute its Honour & good Faith, than the Unsolicited and solemn Resolutions of the whole people by their immediate Representatives, that they will inviolably adhere to their federal union and national Treaties and employ their Strength & Resources to compel their Enemies to such a Peace as will establish our Independance and maintain our national Dignity.

These Topics with the few Articles of our Southern Successes & Intelligence which have since run thro' the News Papers, to the best of my Remembrance, filled up that hasty Letter which as I before hinted I had not leisure to correct or transcribe.

We have no Accounts from Europe *since* and indeed some time *before* my Arrival here. Three Vessells arrivd last night from the Havannah notwithstanding this Coast is so strictly guarded. One of them has imparted a considerable Sum of money.

I request the favour of your Agreeable Correspondence which tho I have not now time to enlarge, I will endeavour to merit: being with very great Regard & Esteem, Dear Sir, Your Affectionate & most Obed Servant

Jas. Duane

RC (NN: Schuyler Papers).

[1] Not found; but see Duane to Clinton, July 16, 1782.

Committee on the Department of Finance to Robert Morris

Sir

Philadelphia 19th July 1782.

I am directed to enclose you a Copy of an Act of the United States of 2d Instant.[1]

The Committee taking for a Basis the Act of the 7th of Feby. 1781, for establishing your office and ascertaining its Duties, have proposed to themselves the following arrangement of the Heads of Enquiry.

I[2] An Examination into the State of the publick Debts.

II The publick Expenditures.

III The publick Revenue.

IV The Plans for improving and regulating the Finances—and for establishing order and Œconomy in the Expenditure of the publick money.

V The Execution of the Plans adopted by Congress respecting Revenue & Expenditure.

VI The Settlement of the Publick Accounts.

VII The Issues of the specific Supplies furnished by the respective States.

VIII The Recovery of the monies due to the united States.

IX The Prosecution for Delinquencies respecting the publick Revenue & Expenditures.

Lastly. They have collected the several Acts of Congress for you Direction subsequent to your Appointment which will also form part of the Enquiry.

We propose unless it may be inconvenient to you to begin thi enquiry on Monday morning at 9 o'Clock at the Office of Financ And to continue it as Circumstanc[e] will admit.[3]

I am, Sir, your most Obedient Servant,

Jas. Duane for The Committee

RC (DNA: PCC, item 142). Written and signed by James Duane.

[1] By terms of this "Act," James Duane, Abraham Clark, Arthur Lee, Thoma McKean, and Samuel Osgood "were appointed to enquire fully into the proceeding of the department of Finance," implementing a motion offered by James Madiso and adopted by Congress on June 17 calling for the biannual investigation of th executive departments—finance, foreign affairs, war, marine, and the post office See *JCC*, 22:334, 370; and Morris, *Papers* (Ferguson), 5:385–89. For speculation tha Madison may have introduced his motion "with the confident expectation that a clos scrutiny of the Department of Finance would silence Morris' enemies [*especially Arthu Lee*]," see Madison, *Papers* (Hutchinson), 4:250n.17, 343–44, 386.

[2] At this point in the margin, in a hand other than Duane's, appears the wor "Satisfactory." The word "none," written in the same hand, also appears in th margin below opposite the numeral "III."

[3] In response to this proposal, Morris suggested that their first meeting be postponed to Tuesday July 30, for which see Morris, *Papers* (Ferguson), 6:3, 87; an Minutes of the Committee on the Department of Finance, July 30, 1782.

Rhode Island Delegates to William Greene

Sir, Philadelphia July 19th. 1782

We have been honored with your Excellencys letter of the Ulto. and the inclosed resolutions of the Honle. the general Assembly.[1]

You may be assured that proper attention will always be paid on our part to any Instruction which that honorable body may think proper to honor us with, and particularly to those now received. We have a proper sense of the principels and justice on which they are founded, and are fully impressed with the importance of the objects that the state wish to obtain. Yet such is our embarrased situation that we dare not at present flatter you that we shall be soon able to obtain that justice which is due to the state on account of the Old money or back lands. At the same time we take the liberty to assure you that we will endeavor to obtain those desirable objects by embracing every favorable moment.

It is now believed that the United Provinces of the Low Countrys have acknowledged the Independance of the United States and received Mr. Adams in his official character of Embassador. This intelligence depends altogether on the authenticity of the public News papers.[2] No official letters have been received from Europe of a later date than about the last of March or first of April. We have little doubt but that this glorious news is true and if so is an event that cannot but be favorable to the United States. Notwithstanding we are informed from good Authority that a Minister at the Hague from a respectable nothern Power used every means in his power with their High Mightinesses to prevent its taking place. Therefore cannot undertake to say what effect it may have in the different Courts of Europe.

We are altogether at a loss to say what measures the Court of Great Britain intend to persue, having received no Intelligence from Europe that is to be relyed on since the new Ministry entered upon their Administration neither have we any reason to suppose that Sr. Guy Carlton has received any instructions from them. It appears probable that this summer will be spent by them in fixing their plans. Whether they will be for war or peace is at present altogether uncertain. But in our opinion let them adopt which they will they will prosecute the one they do adopt in earnest.

Congress have been imployed for a long time in the common business that dayly presents its self, without doing any thing that particularly deserves your notice. There are several Committees that have business of consequence under consideration on which it is probable they will soon report.

His Excellency the Commander in Chief has been a week in this City, his journey to this place was in consequence of a previous appointmt to meet the Count De Roshambau, their meeting was according to the appointment. Several Committees of Congress have had conferrences with the General since he has been in this place on business of importance And we have the pleasure to assure you that we have every reason to suppose that the most perfect harmony subsists between him and Congress at this time his stay from the Army will be short.

We beg you will excuse us on account of the barenness of this letter as well as for our fault of not acknowledging the recept of yours at an earlier period. We waited in hopes of being able to communicate somthing worthy your notice.

We have the honor to [be] your Excellencys most obedt. Humble Servants,

Ezek Cornell

David Howell.

RC (R-Ar: Letters to Governors). Written by Cornell and signed by Cornell and Howell.

[1] Governor Greene's letter has not been found, but he undoubtedly inclosed the assembly's resolves on the redemption of quartermaster certificates, the "sinking the bills of the old Continental emissions which are yet outstanding," and the claims of Rhode Island and other states to "vacant lands." See *R. I. State Records*, 9:561–63.

[2] The news had arrived in Philadelphia on the ship *St. Helena* and brigantine *General Gist* and was reprinted in the *Pennsylvania Packet*, July 20, 1782.

John Hanson to the States

Sir, Circular. Philadelphia 20th July 1782

I have the honor to transmit your Excellency an Ordinance of Congress, dated the 17th instant, for more effectually preventing an illicit trade with the enemy;[1] and am, with great respect, Your &c.

J.H.

N.B. To the letter addressed to the Governor of the State of Maryland, the following was added, viz.

"I have received your Excellency's letter, with the Act of Assembly granting to Congress an impost of five per Cent. on all imported goods &c. which has been laid before Congress and referred to the Committee, to whom the laws, from the several States, on the same subject, have been referred.[2]

"I believe it is beyond a doubt that the States General of the United Provinces have received Mr. Adams in his public Character and acknowledged our Independence, on which important & very interesting event, I most sincerely congratulate you.

"I have the honor to be &c. J.H."

LB (DNA: PCC, item 16).

[1] For the enclosed ordinance, see *JCC*, 22:383–84, 392–93. The draft of it, in the hand of John Morin Scott, bears the following endorsement by Secretary Charles Thomson concerning its legislative history.

"An Ordinance more effectually to prevent illicit Trade with the Enemy. 3 July Mr. Scot, Mr Lee, Mr Clark. Delivered July 11. 1782. Entd. Read a first time July 11, 1782. 12 Assigned for a second reading. 12 July 1782, Read a second time. Monday 15. assigned for a 3d reading. Passed. July 17. 1782." PCC, item 59, 3:427–30.

[2] For this July 12 letter from Gov. Thomas Sim Lee, see PCC, item 70, fol. 509–12; and *JCC*, 22:388.

Eliphalet Dyer to Thomas Shaw

Sir[1] Philadelphia July 22nd. 1782

Yours of the 10th Instant just recieved also recieved the papers in the cause of Champlin with your first letter some time agoe, and as your Instructions were to Commit them to the care of Mr Ingersol, I immediately waited on him upon the Subject & have advised him in the method I thought proper to proceed.[2] I find by looking over the Journals that the hearing for a New Trial cannot be before Congress but before the Court of Appeals which are to set at Hartford in Connecticut in August Next. I should have forwarded the Petition & Citation to be served on Coll Stanton so as to appear at Hartford but as by looking over the paper I find the Circumstances of the case so Varied from my Apprehensions Antecedent to My revising the paper that my Deposition tho substantially true yet will want a good deal of explication to have the matter fully understood which cannot well be done Unless I could be present at the hearing & when I might be of Essential service, which cannot be at Hartford. We are therefore waiting for Mr. Paca one of the Judges his arrival at this place when a time will be appointed for holding a Court in this place which probably will be sometime in the month of September if so it is probable I shall be here & can Attend the Trial, & hope it may be done before the final Trial on the Bond at Rhodisland, but I should think whenever the Petition shall be served & Notice given to Stanton for a rehearing, tho the matter should be undecided yet the Supr. Court at Rhodisland will certainly Continue the cause till the Court of Appeals can decide the matter but am in hopes it may be tried here so as to give you seasonable Notice before the final Trial on the bond comes on. Expect to forward the citation &c per Brown who will set out in 6 or 8 days. Am with sincere regards, yr Hle Servt.

Eliph^t. Dyer

RC (CtY: Shaw Papers).

[1] Thomas Shaw was the brother of Nathaniel Shaw, the former Continental agent at New London, Conn., and had assumed his brother's business interests and legal entanglements after Nathaniel's death in April 1782. See these *Letters*, 2:319, 13:427–28; and Mary Withington, "The Nathaniel and Thomas Shaw Papers," *Yale University Library Gazette*, 1 (1927): 47–52.

[2] For the appeal from the Rhode Island Admiralty Court's decision in the case of the *Two Brothers*, involving Samuel Champlin, Joseph Stanton, and the Shaw brothers, see these *Letters*, 13:427–28, 15:302–3, 16:26–28.

Charles Thomson's Notes of Debates

[July 22–23, 1782]

1782. Monday, July 22. The reports of the Com[mitte]e on a report of the Superintendendt of Finances relative to his stopping the Drawing of bills for interest which was an order of the day taken up and debated for some time and postponed.[1]

The report of the Com[mitte]e on the hospital debated and recommitted.[2]

Tuesday, July 23rd. The ordinance for regulating the Post office under debate on the second reading, a great part recommitted.[3]

MS not found; reprinted from *NYHS Collections*, 11 (1879): 63.

[1] This debate is not mentioned in the journals, but the following information is preserved in Thomson's endorsement on the committee report in PCC. "Report of Comee, Mr Rutledge, Mr Lee, Mr Clarke. On a report of superintendt. of finance July 1, 1782 relative to the stopping of drawing of bills for interest. Delivered July 18, 1782. Entd. Read. Monday 22 assigned. 22. taken, debated and postpd. Aug 5. 1782 Referred to the grand Comee." See PCC, item 19, 4:361–62; *JCC*, 22:404–8, 447–48; and James Madison to Edmund Randolph, July 2, 1782, note 5.

[2] Although this debate is not recorded in the journals, the text of the report that was debated and the resolves adopted the following day in consequence of its recommitment and revision can be found in *JCC*, 22:408–12; and PCC, item 22, fols. 69–78, 85.

[3] For this post office ordinance, which received a second reading on October 2 and was adopted October 18, see *JCC*, 23:632, 669–78. It had its origin in a letter of February 27, 1782, from postmaster Ebenezer Hazard, who had suggested that because there was such a "Multiplicity of Acts relating to the Post Office, and their being so much scattered throughout the Journals, . . . whether it may not be expedient to appoint a Committee to revise the Acts and Resolutions now in Force, and reduce them . . . into one Ordinance." See item 59, 3:331–47, 381–410, item 61, fols. 105–8. Hazard had been elected postmaster general to succeed Richard Bache on January 28, 1782. *JCC*, 22:60.

John Witherspoon's Speech in Congress

Mr President, [July 22? 1782][1]

I have little to say against the resolutions, as they stand reported by the superintendant of finance. Perhaps they are unavoidable in the circumstances to which we are reduced. Yet the step seems to be so very important, and the consequences of it so much to be dreaded, that I must intreat the patience of the house, till I state the danger in a few words, and examine whether any thing can possibly be added to it, which may in some degree prevent the evils which we apprehend, or at least exculpate Congress, and convince the public that it is the effect of absolute necessity.

Sir, if we enter into these resolves as they stand, it will be a deliberate deviation from an express and absolute stipulation, and therefore it will, as it was expressed by an honourable gentleman the other day, give the last stab to public credit. It will be in vain, in future, to ask the public to believe any promise we shall make, even when the most clear and explicit grounds of confidence are produced. Perhaps it will be said that public credit is already gone; and it hath been said that there is no more in this, than in neglecting to pay the interest of the loan-office certificates of later date; but though there were no other differences between them, this being another and fresher instance of the same, will have an additional evil influence upon public credit. But in fact, there is something more in it than in the other. The solemn stipulation of Congress, specifying the manner in which the interest was to be paid, was considered as an additional security, and gave a value to these certificates, which the others never had.[2] I beg that no gentleman may think that I hold it a light matter to withhold the interest from the other lenders; they will be convinced, I hope, of the contrary before I have done; but I have made the comparison merely to shew what will be the influence of this measure upon the public mind, and therefore upon the credit and estimation of Congress. Now it is plain, that the particular promise of giving bills upon Europe, as it had an effect, and was intended to have it in procuring credit, it must, when broken or withdrawn, operate in the most powerful manner to our prejudice. I will give an example of this, in our melancholy past experience. The old continental money was disgraced and sunk, first by the act of March 18th, 1780, (which the Duke de Vergennes justly called an act of bankruptcy,) telling you would pay no more of your debt than sixpence in the pound. This was afterwards further improved by new estimates of depreciation, of seventy-five and one hundred and fifty, for new state paper, which itself was sunk to two or three for one; and yet bad as these men's cases were, the disgrace arising from them was more than doubled, by people's referring to, and repeating a public declaration of Congress, in which we complained of the injurious slanders of those that said we would suffer the money to sink in the hands of the holders, and making the most solemn protestations, that ultimately the money should be redeemed dollar for dollar; and to my knowledge, some trusting to that very declaration, sold their estates at what they thought a high price, and brought themselves to utter ruin.

I cannot help requesting Congress to attend to the state of those persons who held the loan-office certificates which drew interest on France; they are all, without exception, the firmest and safest friends to the cause of America; they were in general the most firm, and active, and generous friends. Many of them advanced large sums of hard money, to assist you in carrying on the war in Canada. None of them at all put away even the loan-office certificates on speculation, but either from a generous intention of serving the public, or from an entire confidence in the public credit. There is one circumstance which ought to be attended to, *viz.* the promise of interest—bills on Europe were not made till the 10th of September, 1777. It was said a day or two ago, that those who sent in cash a little before March 1st, 1778, had by the depreciated state of the money, received almost their principal; but this makes but a small part of the money, for there were but six months for the people to put in the money, after the promise was made; only the most apparent justice obliged Congress to extend the privilege to those who had put in their money before. Besides, nothing can be more unequal and injurious than reckoning the money by the depreciation either before or after the 1st of March, 1778, for a great part of the money in all the Loan offices was such as had been paid up in its nominal value, in consequence of the Tender laws.

This points you, Sir, to another class of people, from whom money was taken, *viz.* widows and orphans, corporations and public bodies. How many guardians were actually led, or indeed were obliged, to put their depreciated and depreciating money into the funds—I speak from good knowledge. The trustees of the college of New Jersey, in June, 1777, directed a committee of theirs to put all the money that should be paid up to them, in the loan-office, so that they have now nearly invested all. Some put in before March, 1778, and a greater part subsequent to that date. Now it must be known to every body, that since the payment of the interest bills gave a value to these early loans, many have continued their interest in them, and rested in a manner wholly on them for support. Had they entertained the slightest suspicion that they would be cut off, they could have sold them for something, and applied themselves to other means of subsistence; but as the case now stands, you are reducing not an inconsiderable number of your very best friends to absolute beggary. During the whole period, and through the whole system of continental money, your friends have suffered alone—the disaffected and lukewarm have always evaded the burden—have in many instances turned the sufferings of the country to their own account—have triumphed over the whigs—and if the whole shall be crowned with this last stroke, it seems but reasonable that they should treat us with insult and derision. And what faith do you expect the public creditors should place in your promise of ever paying them at all? What reason, after what is past, have they to dread that you will divert the fund which is now mentioned as the distant source of payment? If a future Congress should do this, it would not be one whit worse than what has been already done.

I wish Sir, this house would weigh a little, the public consequences that will immediately follow this resolution. The grief, disappointment and sufferings of your best friends, has been already mentioned—then prepare yourselves to hear from your enemies the most insulting abuse. You will be accused of the most oppressive tyranny, and the grossest fraud. If it be possible to poison the minds of the public, by making this body ridiculous or contemptible, they will have the fairest oportunity of doing so, that ever was put in their hands. But I must return to our plundered, long ruined friends; we cannot say to what their rage and disappointment may bring them; we know that nothing on earth is so deeply resentful, as despised or rejected love—whether they may proceed to any violent or disorderly measures, it is impossible to know. We have an old proverb, That the eyes will break through stone walls, and for my own part, I should very much dread the furious and violent efforts of despair. Would to God, that the independence of America was once established by a treaty of peace in Europe; for we know that in all great and fierce political contention, the effect of power and circumstances is very great; and that if the tide has run long with great violence one way, if it does not fully reach its purpose, and is by any means brought to a stand, it is apt to take a direction, and return with the same or greater violence than it advanced. Must this be risked at a crisis when the people begin to the fatigued with the war, to feel the heavy expence of it, by paying taxes; and when the enemy, convinced of their folly in their former severities, are doing every thing they can to ingratiate themselves with the public at large. But though our friends should not be induced to take violent and seditious measures all at once, I am almost certain it will produce a particular hatred and contempt of Congress, the representative body of the union, and still a greater hatred of the individuals who compose the body at this time. One thing will undoubtedly happen; that it will greatly abate the respect which is due from the public to this body, and therefore weaken their authority in all other parts of their proceedings.

I beg leave to say, Sir, that in all probability, it will lay the foundation for other greater and more scandalous steps of the same kind. You will say what greater can there be? Look back a little to your history. The first and great deliberate breach of public faith, was the act of March 18th, 178 , reducing the money to forty for one, which was declaring you would pay your debt at sixpence in the pound—But did it not turn? No, by and by it was set in this state and others at seventy-five, and finally set one hundred and fifty for one, in new paper, in state paper, which in six months, rose to four for one. Now, Sir, what will be the case with these certificates? Before this proposal was known, their fixed price was about half a crown for a dollar of the estimated depreciated value; when this resolution is fairly fixed, they will immediately fall in value, perhaps to a shilling the dollar, probably less. Multitudes of people in despair, and absolute necessity, will sell them for next to nothing, and when the holders come at last to apply for their money, I think it highly probable, you will give them a scale of depreciation, and tell them, they cost so little that it would be an injury to the public to pay the full value. And in truth, Sir, supposing you finally to pay the full value of the certificates to the holders, the original and most meritorious proprietors will in many, perhaps in most cases, lose the whole.

It will be very proper to consider what effect this will have upon foreign nations; certainly it will set us in a most contemptible light. We are just beginning to appear among the powers of the earth, and it may be said of national, as of private characters, they soon begin to form, and when disadvantageous ideas are formed, they are not easily altered or destroyed. In the very instance before us, many of these certificates are possessed by the subjects of foreign princes, and indeed are in foreign parts. We must not think that other sovereigns will suffer their subjects to be plundered in so wanton and extravagant a manner. You have on your files, letters from the Count de Vergennes, on the subject of your former depreciation;[3] in which he tells you, that whatever liberty you take with your own subjects, you must not think of treating the subjects of France in the same way; and it is not impossible that you may hear upon this subject, what you little expect, when the terms of peace are to be settled. I do not in the least doubt that it may be demanded that you should pay to the full of its nominal value, all the money as well as loan-office certificates, which shall be found in the hands of the subjects of France, Spain or Holland, and it would be perfectly just. I have mentioned France, &c. but it is not only not impossible, but highly probable, that by accident or danger, or both, many of these loan-office certificates may be in the hands of English subjects. Do you think they will not demand payment? Do you think they will make any difference between their being before or after March 1st, 1778? And will you present them with a scale of depreciation? Remember the affair of the Canada bills, in the last peace between England and France—I wish we could take example from our enemies. How many fine dissertations have we upon the merit of national truth and honour in Great Britain. Can we think without blushing, upon our contrary conduct in the matter of finance? By their punctuality in fulfilling their engagements as to interest, they have been able to support a full load of debt altogether enormous. Be pleased to observe, Sir, that they are not wholly without experience of depreciation: navy debentures and sailors' tickets have been frequently sold at an half, and sometimes even at a third of their value; by that means they seem to be held by the class of men called by us speculators. Did that government ever think of presenting the holders of them, when they came to be paid, with a scale of depreciation? The very idea of it would knock the whole system of public credit to pieces.

But the importance of this matter will be felt before the end of the war. We are at this time earnestly soliciting foreign loans. With what face can we expect to have credit in foreign parts, and in future loans, after we have so notoriously broken every engagement which we have hitherto made? A disposition to pay, and visible probable means of payment, are absolutely necessary to credit; and where that is once established, it is not difficult to borrow. If it may be a mean of turning the attention of Congress to this subject, I beg of them to observe, that if they could but lay down a foundation of credit, they would get money enough to borrow in this country, where we are. There is property enough here; and, comparatively speaking, there is a great number of persons here who would prefer money at interest to purchasing and holding real estates. The ideas of all old country people are high in favour of real estate. Though the interest of money, even upon the very best security there, is from four to four and a half, four and three quarters, and five per centum; yet when any real estate is to be sold, there will be ten purchasers where one only can obtain it, and it will cost so much as not to bring more than two, two and a half, and at most three per centum.

It is quite otherwise in this country, and indeed it ought to be otherwise. To purchase an estate in the cultivated parts of the country, except what a man possesses himself, will not be near so profitable as the interest of money; and in many cases where it is rented out, it is so wasted and worn by the tenant, that it would be a greater profit at the end of seven years, that the land had been left to itself, to bear woods and bushes that should rot upon the ground, without any rent at all. Any body also may see, that it is almost universal in this country, when a man dies leaving infant children, that the executors sell all his property to turn it into money, and put it in securities for easy and equal division.

All these things, Mr. President, proceed upon certain and indubitable principles, which never fail of their effect. Therefore, you have only to make your payments as soon, as regular, and as profitable as other borrowers, and you will get all the money you want; and by a small advantage over others, it will be poured in upon you, so that you shall not need to go to the lenders, for they will come to you.

MS not found; reprinted from John Witherspoon, *The Works of John Witherspoon . . .*, 9 vols. (Edinburgh: J. Ogle, 1815), 9:125–34.

[1] Witherspoon apparently delivered these remarks in opposition to recommendations from the superintendent of finance for suspending the payment of interest on loan office certificates, which had been before Congress since June 13. The immediate occasion for the speech was probably the proposed resolutions contained in the July 18 report of a committee appointed to consider Robert Morris' second proposal on the subject. See Morris, *Papers* (Ferguson), 5:396–99, 491; *JCC*, 22:447–48; PCC, item 19, 4:361–62; James Madison to Edmund Randolph, July 2, 1782, note 5; and the preceding entry.

[7] For these April 18 and June 28, 1780, resolutions, see *JCC*, 16:374–75, 17:566–69.

[8] For Vergennes' letters of June 21 and 30, 1780, to John Adams, and of June 30 to Benjamin Franklin, see PCC, item 84, 2:383–86, 401–10, 415–20; and Wharton, *Diplomatic Correspondence*, 3:805–7, 827–28.

John Hanson to Philip Thomas

Dear Doct Philadelphia July 23d 1782

I thank for your letter of the . Am very happy to find you are so stout and look so well in the Opinion of your neighbours. We are I thank God all well, your mother has now & then little touches of the Cholick. Little Kitty is I think in better health than she has been for a long time, but we are obliged from her tender Constitution to be very careful of her and have thought it would be injurious to Send her to School this hot weather and I dont think she is losing any time. We ride every day and we let her go about as much as we can. She is realy a fine Girl. There is no Dancing School at present, if one opens in the fall will send her. I wish to Know who Mr. P's Correspondence is in Philadelphia that I might apply to him. I begin to receive my allowance more regularly than heretofore and therefore would not have you put your self to any trouble about supplies. Should be glad to receive the £100. I believe it is beyond a Doubt that the States General of the united Provinces have received Mr Adams in his public Character And Acknowledged our Independence, on which Important and very Interesting Event I most sincerely Congratulate you. This will be more than a ballance for the Defeat of Count de Grasse. The naval Force of the united Provinces added to those of France and Spain must give them a decided Superiority and dispose the British (Vain and haughty as they are) to offer reasonable terms for a *general* peace and none for a Separate one will ever I am persuaded be received by France or America, nor unless our Independence is previously Acknowledgd.

There has been two or three fortunate Arrivals here lately from the Havanna with a Considerable quantity of specie all of which is thrown into the Bank. These are lucky reinforcements especially as the States pay nothing into the Treasury. Lippincot it is said is acquitted by a Court Marshall (haveing proved that he acted by order of the infamous board of refugees). If so it is probable he will not be given up and a British officer will suffer. General Washington is in Town as is Count Rochambeau. Our Gen. is in high health and looks better than ever I see him. God protect him.

RC (MdHi: Hanson Letters). In Hanson's hand, though not signed.

James Madison to Edmund Pendleton

Dear Sir Philada. 23 July. 1782.

The sterility of my late correspondence will be compensated by the contents of the inclosed paper, which besides other interesting particulars sufficiently confirms the recognition of our Independence by the States General. Among the numerous good consequences of this event to us I wish the people of Virginia not to be inattentive to its influence on the value of their staple, which it is probable will be an immediate object of speculation. Other particulars not yet republished from the foreign papers are the capture of 1 if not 2 French 74s with a number of transports on their way to the E. Indies, by Admiral Barrington—the capture of a British Frigate, with some transports by a Dutch ship of war—the capture of the rich island of Ceylon from the Dutch by Admiral Hughs, & of Negapatam another of their important possessions on the coast of Coromandel, with two ships richly laden with oriental productions.

The language of the New Ministry is not a little novel & extraordinary. They seem to consider themselves as they really are, the creatures of the people, not of the crown and address their whole conduct to the temper of the former, with as much assiduity as their predecessors did to the latter. The popular & oeconomical principles which they urged out of office, are the basis of their plans in office. They are excluding contractors &c from the legislature—abolishing sinecure appointments—pruning the civil list—arming the Militia and even patronizing a scheme of equal representation. In the last particular they met with great obstacles & Mr. Fox had the mortification to find himself in a minority on the question for appointing a committee to bring in plan for the purpose.

Ireland is reaping a large share of the harvest produced by our labours. Besides a free trade & a free legislation, the shackles are taken off the poor Catholicks in the articles of their religious worship & the tenure of real property.

Genl. Washington is still here. My last contained all the information I can give you relative to Lippencut & Asgil, Carlton preserves his taciturnity. It is said that a fleet of transports is just arrived at the Hook, and that they have troops on board. This has brought to life again the supposed evacuation of Charleston.

Adieu

Reprinted from Madison, *Papers* (Hutchinson), 4:431–32.

James Madison to Edmund Randolph

Dear Sir Philada. 23 July 1782.

I have at length the pleasure of presenting you with certain tho' not official intelligence of the recognition of our Independence by the States General. This event with other interesting particulars is contained in the inclosed Gazettes. Among its salutary consequences to this country I hope the people of Virga. will not be inattentive to its influence on the value of its Staple, on which it is very probable Speculations will be attempted.

The Language & measures of the present administration will furnish you with copious matter for reflection. If we had recd. fewer lessons of caution agst. sanguine expectations, I should with confidence explain them by a scheme for a general pacification, and for fathering on their predecessors all the obnoxious conditions which the public distresses may expose them to. If this solution were a just one, it ought at the same time to be remembered that the triumph of Rodney may give a new turn to their politics. It appears from the paper from which the inclosed intelligence is republished, that this event had reached London, that it was received with great rejoicings, but that the public were Still haunted with fears for Jamaica. Other articles not included in the paper herewith sent, are, the capture of 1 if not 2 French 74's with a number of Transports for the East Indies by Adml. Barrington—the capture of a British frigate with some transports by a Dutch ship of war—the capture of the valuable Island of Ceylon from the Dutch by Admiral Hughs, & of the Negapatam another of their important possessions on the Coast of Coromandel, with 2 ships richly freighted with Spices & other oriental productions. Ireland is likely to be indulged in every thing. In addition to a free trade & a free Legislation, they have obtained the assent of the Ld. Lieutt. to an act of Parliament for emancipating the Catholics from the shackles on their religious rights, & on their tenures of real property. Your philanthropy will be gratified by my adding as other proofs of the progress of light & freedom, the abolition of the inquisitorial jurisdiction in Sicily, the only part of the Neapolitan dominions where it was in force, and the inefficacy of the Pope's visit to Vienna in checking the liberal innovations of the Emperor in his ecclesiastical polity.

The news from Holland has much emboldened the {enemies of France. Doctor Lee declared}[1] that it ought to be considered as the {epoch of our emancipation}. Yesterday I was reminded {by Izzard} that {Franklin was interested} in restoring the {backlands to the crown}. Soon {after I was shewn by Lee a proposition for reconsidering the} commission & {instructions for peace}.[2] The plan is to {exclude F——n & Jy[3] & to} with{draw} the others[4] from the {direction of France}. The {notes of M——s[5] are also} to be {attacked}. These and some other {symptoms} strongly {portend a revival} of {party heats}. I earnestly wish we had {your aid} in {repressing them}.

General Washington is still here. I have nothing to add to my last on the subject of Lippencut & Asgil. It is said that a fleet of transports is just arrived at the Hook, & that it has troops on Board. This revived the idea that an evacuation of Charleston has taken place. I hope you will not neglect the request in my last touching pecuniary matters. My wants begin again to be very pressing & I hear nothing of remittances. I hope your silence by yesterday's mail has not been the effect of in[disposition?]

RC (DLC: Madison Papers). Madison, *Papers* (Hutchinson), 4:434–35. Written by Madison, though not signed.

[1] Words in braces in this text were written by Madison in cipher.

[2] For the "proposition" that Arthur Lee made in Congress the following day, see Lee to James Warren, August? 1782, note 1.

[3] That is, Benjamin Franklin and John Jay.

[4] John Adams and Henry Laurens.

[5] Robert Morris.

Virginia Delegates to Benjamin Harrison

Sir, Philadelphia, July 23d. 1782

The Letter of the 11th,[1] with which your Excellency honord us, came safe with the enclosd Resolves, which we shall lay before Congress.[2]

The Super-intendant's Contract, for the main Army, is ten pence pensylvania curry. per Ration, which is 25 perCt. less than what your Excellency mentions.

We shall make the application, you recommend, to Congress.[3] No Instructions have yet reachd us on the important points, which were stated to the Assembly for that purpose.[4]

The enclosd Paper contains all the late Advices from Europe, Congress not having receivd any Dispatches. But we have no doubt of our Independence having been acknowledgd by the States-general.

We have the honor to be, with the most perfect respect, Your Excellency's most Obedt. Servants

J. Madison Jr.

A. Lee

RC (Vi: Continental Congress Papers). Written by Lee and signed by Lee and Madison.

[1] See Madison, *Papers* (Hutchinson), 4:405–6.

[2] The "enclosd Resolves," adopted by the Virginia House of Delegates on May 28 in

response to Congress' February 20 and 27 resolutions establishing new procedures for settling state accounts, were laid before Congress on July 24. The assembly disagreed with Congress' alteration of the "Mode appointed by the Confederation" for fixing state quotas and proposed instead that the states' ability to pay be assessed by persons appointed to examine "the Losses and Injuries sustained . . . from obstructed Commerce and the Enemies Cruisers within the Bay of Chesapeake and its depending Rivers." See *JCC*, 22:413; and PCC, item 75, fols. 361–66. See also Virginia Delegates to Harrison, February 25, 1782, note 2.

[3] Harrison's July 11 letter instructing the delegates to secure proper credit for Virginia's maintenance of the York and Gloucester garrisons was referred on July 24 to a committee chaired by Ezekiel Cornell which recommended on August 27 that both garrisons be discontinued. See *JCC*, 22:415n.2, 23:531; Madison, *Papers* (Hutchinson), 4:430n.3; and Morris, *Papers* (Ferguson), 6:16n.2, 236n.10, 237–38, 287.

[4] For the delegates' request for further "Instructions" on Virginia's cession of western lands, see Virginia Delegates to Harrison, May 14, 1782, note 5.

Theodorick Bland to St. George Tucker

Dr. Sr. No. 8 Philadelphia July 24th 1782.

Yesterdays post honord me with your favor of the 10th Inst. after a long interval of Silence on your part, and altho this is the Sixth letter I have written this morning[1] I was resolved not to let the post return without an acknowledgment of the Rect. of it. I am extremely sorry to find that you are no longer in the Executive, and without flattery think on this occasion the assembly have not given a striking instance of penetration.[2] You will however have the consolation to have discharged with fidelity and ability an arduous Task, and of having leisure to attend to your domestic concerns, and in Lieu of Power to acquire Riches and indulge the Dulce otium. We have had a Splendid Entertainment on acct. of the Birth of the Dauphin given by the Minr. of France at which was present about seven Hundred of the *Genteelest* Gentn & Ladies that could *be found*, in this City & its Environs, a Magnificent building was erected on the occasion beautifully adornd with emblematic paintings, alluding to the occasion—grand illuminations were displayd, and fireworks playd off. A Supper was provided for the whole company to Sup at once under a Beautiful Pavillion erected adjacent to the aforementioned Ball Room—which Ball room is upwards of Seventy feet long and supported by two ranges of beautiful Ionic Columns. The Gardens adjacent to the ministers Hotel were laid off in as good a taste as the extent of the ground wd. admit—universal Satisfaction, and good order prevaild among the Company within as well as the Spectators without. Last Saturday by two ships from France which brought Public Prints we were informd with Certainty (tho not officially) of Mr. Adams's having been received in form in his Character of Minr. Plenipo of the U States of America at the court of Holland, and that the States Genl. their High Mightinesses had formally acknowledged the Independence of the thirteen U. States—on the 19th of April—this will form an important Era in the History of our Virtuous Struggle—and will throw the Portals of Commerce open so as to enhance the Value of our Staple as well as of all kinds of American produce. I congratulate you and my countrymen on this happy occasion. There is reason to think that a treaty of Amity and Commerce is signed between the two republics before this day—and it is not unlikely that a Dutch Ambassador will soon repair to this court. I am Pleased to hear that Fanny and the Children are well—But pray ask her if she does not think it worth her while to acknowledge under her own *fair* hand that she has a Brother. I have written to my Father by this Post, and requested Mr. Miner of Petersburgh to forward my letter. I am astonishd to find by yours that he has received none of my former letters to him—having written several times. I fear your prediction relative to him is too well founded and shall be very anxious to hear by every opportunity how he is, which as you must have frequent opportunities of knowing hope you will not fail to inform me of. I hope in two months time to be able to find Leisure to pay you a short Visit. I shd. be Glad to know what steps have been taken with respect to the Estates Tobo. & to have some short acct. of the Situation of such of my affairs as may have fallen within yr. Notice. From yr. Surprize at Mrs. Blands a[dven]ture and her acct since she arrived of your never having been to see [her] I have much reason to conjecture that the Intercourse between Matoax and Causons was not after my departure of that true Fraternal kind which I have ever wishd shd exist between two Families so nearly connected. I know her too well to even conjecture 'twas her fault. Be it as it will. God Bless you all, Adieu

RC (ViW: Tucker-Coleman Papers). In Bland's hand, though not signed.

[1] No other letters of this date have been found.

[2] The Virginia House of Delegates had elected James Monroe to replace Tucker on the Council. See the *Journals of the Council of the State of Virginia*, ed. H. R. McIlwaine, 3 vols. (Richmond: Virginia State Library, 1931–52), 3:97, 104.

James Duane to Mary Duane

My dearest Polly Philadelphia 24 July 1782

I congratulate you on the Prospect of Support in our Cause from the Dutch as they have actually acknowledged our Independence. It is an Event which will produce great and extensive Consequences. Our Prospects brighten daily and tho' the misfortune of the French fleet in the West Indies is severely felt, the British Nation must be tired of prosecuting a hopeless war, and be brought by the Combination of so many Enemies to think seriously of Peace.

I continue to enjoy an uninterrupted State of Health. May you and ours experience the same great Blessings with thankful Hearts.

Adieu my dearest Polly. Kiss and bless for me our dear Children and present my respectful Compliments to our Friends—and believe that I shall never cease to be—your most affectionate & faithful Husband,

Jas. Duane

RC (NHi: Duane Papers).

John Taylor Gilman to Meshech Weare

Sir

Philadelphia July 24th. 1782.

The Letter which you did me the Honour to write on the 8th Instt. I receiv'd on Monday the 22d together with the Inclosures.[1] I am Sorry to hear that a Delegate is not Immediately coming forward, but as I have in sundry Letters (both public & private) so strongly urged that the State should be represented, It will be Unnecessary for me to Say any thing further on that Subject, Excepting that almost every Day furnishes me with additional reasons for desireing it.

That Mr. Adams is receiv'd by the United Provinces as a Minister from the United States is fully Credited, but there has not been any Official Accounts from him of a late Date.

I Expect to have an Oppty the last of next Week to write you by a private Conveyance when (as I think it my duty) I Shall give you Every Information in my power.

I Shall be glad to hear from you as often as may be Convenient.

I Inclose you a paper of this day, and have the Honour to be, Your most Hum Servt,

John Taylor Gilman

RC (DLC: Peter Force Collection).

[1] Not identified.

Charles Thomson's Notes of Debates

Wednesday, July 24. [1782]

Mr. Lee made the following motion.

"That the Commissions of the 15 of June, 1781, appointing ministers plenipotentiary to negotiate a treaty of peace with Great Britain, together with the instructions given to the said Commissioners be reconsidered."[1]

Mr. Bland informed the house that he had always been against the instructions so far as they obliged the ministers ultimately to govern themselves by the advice of France, and therefore he seconded the motion for reconsideration. An objection was made to his seconding the reconsideration as he had acknowledged he had voted agst the instructions. The objection was deemed valid, whereupon after sometime

Mr. Jackson gave it his second.

The motion being thus introduced was read and a debate thereon ensued.

Mr. Lowell said he would have seconded the motion, but that he intended to have brought on the Consideration of the subject in another way, that he thought the instructions were not valid as they had not at the time of passing had the vote of nine states which by the Confederation were necessary to give them validity. This occasioned a call for the minutes of the proceedings which were read.

Mr. Bland supported the propriety of a reconsideration.

Mr. Madison objected to it. He took notice that the motion before the house went much farther than the reasoning in support of a reconsideration. That the reasoning was confined entirely to the impropriety, inexpediency and dangerous consequences of one single clause in the instructions; that the motion was pointed against the ministers as well as against the instructions; that nothing was said to show that the appointment was improper and that therefore he could not agree to the motion. But waiving this he should object to the motion if confined to the instructions; as to the objection started on account of an amendment to the original instructions which was carried by seven states, he apprehended the articles of confederation did not require the vote of nine states for the purpose of making peace; but even admitting it did and that there was an error or defect in the instructions by reason of the amendment, admitted by seven votes on the 11th June 1781, yet the passing them afterwards on the 15 of the same month which appears to have been done without dissent, and the confirmation of them by the act of the 31st of May last removed every defect or error which the admission of the amendment might have occasioned. That before gentlemen condemned the instructions they ought to consider the times & circumstances in which they were passed. Here he went into a detail of the critical situation of affairs in America in June 1781, the interposition of mediating powers, the rejection of the motion for joining other persons in the Commission with J. Adams, the unfortunate difference between him & the Co[un]t de Vergennes & the information given that the court of F. had not a full confidence in Mr Adams prudence & management. Upon the whole he did not think it prudent or proper to reconsider the instructions; that they could not be productive of any ill consequences and that the reconsidering and altering them might interrupt the harmony which at present subsists between the U. S. & F., might abate the zeal she has hitherto shown in our favour & that our affairs were not at present in such a situation as to warrant so hazardous a step.

Sundry other members opposed the reconsideration & at last an adjournment was called for which was agreed to.

Reprinted from *NYHS Collections*, 11 (1879): 63–65.

[1] See *JCC*, 22:415; and PCC, item 36, 1:355–56. For continued interest in revising the instructions of the American commissioners in Europe, see also Thomson's Notes of Debates, August 2 and 8, 1782; and Madison, *Papers* (Hutchinson), 4:436–38, 5:14–16, 33–36.

Connecticut Delegates to the Pennsylvania Agents

Gentlemen, Phila, July 25th, 1782.

Your favour of the 24th,[1] proposing a method for agreeing on Judges in the Case between Pensylvania & Connecticut has been duly recd & attended to, and on Considering it we are led to think that the method proposed will be inadequate to the object in view, for it may happen that no one name will be found in both lists, and very unlikely that the whole number proposed will—in either case we are left at large to devise some other Method for appointing the whole or a part, as the Case may be—besides we doubt whether Congress can with propriety judge between us in the Case you mention, where a Commissioner shall be found in both lists & afterwards be Objected to on acct of Interest, &c.

We are inclined to think that this business may be better effected & with more Satisfaction to the Concerned in the following manner, which we take the liberty to propose for your Consideration. That the Agents for Pennsylvania & Connecticut alternately nominate a person to be approved or dissented to by the other party, & so to proceed untill we shall have agreed upon the number proposed, or shall find it to be impracticable. Or that the agents of sd States each make out a list of persons to the number of Seven, whom they would have to be Judges, & exchange the same with each other for approbation or dissent in part or in whole—in either of these ways no person will be appointed a Judge without the full Concurrence of both the parties—further it appears to us most probable that after attempting every other method this must be ultimately resorted to as the only way of Compleating this business, but as we expect a

Conference to morrow morning,[2] according to appointment, we shall then attend and Indeavor to agree in a method to proceed in the business.

We are with much Respect, your most obedt humble Servants,

Elipht Dyer, }
Jesse Root. } Agents for Connt.

MS not found; reprinted from *Pa. Archives*, 9:683. Addressed: "Wm. Bradford, Joseph Reed, James Wilson, &c., Esqrs, Agents for Pennsylvania."

[1] Pennsylvania agent Henry Osborne's July 24 letter to Dyer and Root containing a counter-proposal for selecting a "Court" to arbitrate their states' boundary dispute, is in *Susquehannah Co. Papers*, 7:111–12.

[2] The agents for Connecticut and Pennsylvania met on July 26 and several additional times before agreement was reached and a mutually acceptable list of judges could be forwarded to Congress. Ibid., pp. 113–16.

Charles Thomson's Notes of Debates

Thursday, July 25. [1782]

Mr Lee informed the house that he had looked into a report from the superintendant of finances of the 24 of May, by which it appears that large sums of money are reserved in France for certain purposes; that in his opinion some of these purposes did not require so large a sum as was reserved for them, and that others were not proper; that the situation of our treasury required an examination into this matter and therefore he moved "That the report of the superintendant of finances of the 24 of May last stating the application of the monies of the United States in France be referred to a Com[mitte]e to be examined & reported on." This motion was agreed to and Mr Lee, Mr Izard and Mr Wharton were elected.[1] It may not be improper to observe that the superintendant in his report of the 24 of May enclosed, 1. A copy of a letter from the Count De Vergennes to Doct Franklin dated 6. Feby 1782, with an acct of the money lent & obtained for the United States in 1781 and the balance remaining unexpended 2. A copy of a letter of 4th March from Doct Franklin informing the superintendant that the court of France had agreed to furnish the United States with the sum of six millions of livres in the year 1782 in four quarterly payments, & 3. An account from the superintendant of the purposes to which the balance of former loans and the six millions granted & to be paid this year are to be applied "*from which*," says he, "*Congress will perceive that every loan we can command during the year* 1782 *is anticipated*." Hence it appeared evident that no more bills could be drawn as heretofore for the payment of the interest of monies borrowed before the 1 March 1778, and that for the support of the war during the present year Congress must rely on the exertions of the states. The states had not yet all complied with the requisition of Febry 1781 for granting an impost of five per cent on imports and prizes which was to be appropriated to the payment of interest and discharging the debt contracted during the war. The quotas of 8 millions of Dollars required for the present year were like to come in very slow. The first quarter day had passed without any money being paid. The treasury was exhausted, large anticipations had been made. And the superintendant had informed Congress that he could not with safety proceed farther and that some of the great war departments were at a stand for want of money. Letters and representations to the states had not had the desired effect. To give a full display of the situation of affairs in writing would be dangerous as it would expose it to the knowledge of the enemy. Congress therefore on the 27th May thought it proper to send two of their members to the states eastward and two to the southward to give them a confidential and full view of affairs and to stimulate them to a speedy compliance with the requisitions of Congress, particularly those relative to the impost and the quotas for 1782[2] some time after, viz June 1 a Comtt[3] consisting of Mr Osgood, Mr Izard & Mr Witherspoon reported a resolution for putting a stop to the drawing of any more bills. This was referred to the superintendant who reported a resolution to the same effect. And this together with the former report was referred to Mr Rutledge, Mr Lee, and Mr Clark, and their report concurred with the former that a stop should be put to the drawing of any more bills for the payment of interest. The subject was taken up and debated in Congress. The holders of Certificates who had heretofore been paid their interest in bills of exchange now took the alarm and remonstrated against this step. On the 12 July while this matter was under deliberation Mr Lee presented a memorial to Congress stating that on the settlement of his accounts in August 1781, as there was then no money in the treasury he had taken a Certificate for the balance payable with interest at a future day, and that as all the other ministers whose accounts were settled had been paid in bills of exchange praying that he might be put upon the same footing with them and the Certificate given him taken up and cancelled. This was referred to Mr Witherspoon, Mr Lowell and Mr Middleton, and notwithstanding the information given by the Superintendant that there were no funds on which bills could be drawn, notwithstanding a report of a Come in consequence of that information was then before Congress and under deliberation for putting a stop to the drawing any more bills, & notwithstanding the clamours of the holders of certificates which would naturally be increased when they found their interest stopped under pretence that Congress had no funds in Europe on which they could draw bills and at the same time drawing in favour of one of their members for a sum equal to one fortieth part of their whole interest, notwithstanding all this the Come on the 19 July reported "that the superintendant should be directed to draw a bill on Doct. Franklin in favour of Mr A. Lee for the sum of £2238.17.9 sterling with interest from the 6 of August last, and that the Certificate given him for that sum being the balance of his acct as settled by the board of treasury should be cancelled."[4] The report was objectionable on another account. A special resolution had been passed 29 May 1781 for facilitating the settlement of Mr Lee's acct; no other voucher than his word of honor was required for his expences ordinary or extraordinary amounting to 155,191 livres 18 sous & 14 denr,[5] he had without any authority expended for the State of Virginia a part of the monies he received for the public use to the amount of sixty six thousand eight hundred and fifty three livres, whereby he fell in debt to the Public; and it was only by allowing him to charge that sum on the promise of Virginia to account for it with the United States, that he became a public creditor; and by accepting a Certificate for the balance payable at a future day with interest he had put himself on a footing with other public creditors and therefore had no right to any peculiar favour or indulgence.

Mr Lowell, one of the Comtt, informed the house that he had objected to the report on account of the want of funds in Europe but was over ruled by the other members. The report of the Superintendant of the 4 of May was called for and read and after debate the report of the Commtt was referred to the Superintendant of finance to take order.

By this step Congress avoided the apparent inconsistency of conduct & partiality in favour of their own members and left it to the superintendt to falsify his own report & incur the odium of the public creditors by drawing in favour of Mr Lee, or the resentment of Mr Lee by a refusal.

Reprinted from *NYHS Collections*, 11 (1879): 65–68.

[1] *JCC*, 22:416.

[2] This action was actually taken on May 22, not the 27th. See *JCC*, 22:289–90; and Jesse Root to Jonathan Trumbull, May 24, 1782, note.

[3] Undoubtedly a misreading of Thomson's abbreviation for committee, which he often abbreviated "com^{ee}," "comm^{ee}," or "com^{e}," but never "com^{tt}." In this instance the issue is of little consequence, but elsewhere in this *NYHS Collection* text of Thomson's notes, "com^{tt}" is given where Thomson undoubtedly wrote "com^{r}" (commissioner).

[4] See Arthur Lee to Congress, July 12, 1782.

[5] The following note, which appears at the foot of the page, is keyed at this point in the text. "The board of treasury was ordered in adjusting Mr Lee acct to compute from 15 Dec 1776 to 25 March 1780, which is 3 yrs 3 mo & 10 days including three months and after he was out of services during that time he charged and was allowed for expenses ordinary and extraordinary the sum of 155,197 18 Livres 4 Denr which is at the rate of 47382 livres or 9476 2/5 dollars per annum & besides this a salary of 500 pounds sterling a year."

North Carolina Delegates to Jethro Sumner

Dr. Sr. Philada. 27th July 1782

Within a few days of our arrival here[1] we applyd to the Secretary at War, requesting that Commissions might issue to the North Carolina Officers in the continental Line according to the Arrangemt. that was laid before the Genl Assembly at their last Meeting & by them approved.[2] We find to our Surprise that no authentic Ratification has yet been forwarded to the War office & were sorry to find that an objection has been handed to the War Office against issuing Commissions according to the Arrangement referd to. We inclose you a Copy of the Secretary's Letter to us as well as of Coll. Stewarts Letter to the Secretary at War that you may take the necessary Steps thereon. We have only further to assure you that it will give us much Pleasure on every possible Occasion to render any effectual Service to you or to the Officers in the continental Line and to request that you will be assured that we are with the utmost Esteem Dr Sr Your most obedient & very humble Servts. Hu Williamson

Wm. Blount

RC (NcU: Jethro Sumner Papers). Written by Williamson and signed by Williamson and Blount.

[1] Hugh Williamson had presented his credentials on July 19 and William Blount had taken his seat on the 22nd, thus giving North Carolina a vote in Congress for the first time in more than a year. See *JCC*, 22:401, 404. For the lack of continuity in the North Carolina delegation, see Benjamin Hawkins to Abner Nash, December 5, 1781, note 2.

[2] For the arrangement of the North Carolina Line approved by the assembly on April 29, 1782, in accordance with congressional resolves of October 3 and 21, 1780, requiring its reorganization into four regiments, see *N. C. State Records*, 16:61, 71–74, 77; and *JCC*, 18:893–96, 959–61.

Abraham Clark to Elias Dayton

Dear Sir Philada. July 29. 1782

I dare say you attribute to neglect my long silence on the Subject of my last letter.[1] The truth is, I have not been able to say any thing of importance on the Subject. Upon Genl. Lincolns return from head quarters, he made a report for appointing three Brigadiers, one for Massachusets Line, one for Connecticut & one for Jersey—with this report he laid before Congress a Letter from the Commander in Chief to the secretary at War, in which he states the situation of the three lines, & Urges the Necessity of Appointing Brigadrs for the two former, but Signifies that the reasons in favour of a Brigadr. for Jersey are not equally strong with the former owing to their having but two Regiments; in this Letter you are named as having a right to promotion in Case Congress think the measure necessary, the General Also mentions you as a good Officer &c.[2] This report of the Secretary at War was referred to a Committee who have not yet reported. The appointing Genl. Officers is by no means a popular Subject with Congress who think they have at present a Sufficient Number if properly employed.

General Parsons & Glover lately desired leave to retire for recovery of their health, untill they might be able to perform their duty with a Suspension of pay during their absence. Upon taking their request into Consideration, Congress dismissed them altogether upon half pay;[3] this indeed was an alternative proposed by them. Those dismissions, especially Glovers, will probably hasten the report of the Committee, as there are now two vacancys in the Massachusets Line; but they know not what to say if Jersey is left out of the question and I can perceive they wish to have us forgot.

Congress is endeavouring to wipe of every Unnecessary expence both in the Army & Civil departments—a work attended with great difficulty. The want of money embarrasses every department.

When ever I can say any thing agreeable on the Subject I shall not fail Writing. I am Dear Sir, Your Obedt. servt.

Abra. Clark

RC (MH-H: bMS Sparks). Addressed: "Colo. Elias Dayton, Eliza. Town."

[1] Undoubtedly Clark's June 7 letter to Dayton, in which he had discussed the efforts he had recently made to secure Dayton's promotion to brigadier general.

[2] In a June 17 letter to Benjamin Lincoln, which was laid before Congress with the secretary's June 24 report on the appointment of general officers, Washington had questioned "the Expediency" of appointing a brigadier in the New Jersey Line, but conceded that if such a step were to be taken "Colo Dayton is an old Officer, and may justly claim the Rank." See *JCC*, 22:349–50; and Washington, *Writings* (Fitzpatrick), 24:355.

[3] See *JCC*, 22:388, 397–401, 405–6.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir, Philadelphia July 29th 1782

We had the Honor to Receive your Excellency's Letter of the 12th Instant with its Inclosure.[1]

No further Provision has yet been made by Congress for Demolishing the Continental Bills at our Treasury, it has often been moved without Success, we shall move it at a Proper Time if thought advisable.

Congress have just Passd an Ordinance Regulating the Commissaries of Prisoners which we hope will Expedite the Exchange of Naval as well as other Prisoners.[2]

A Plan is also in Agitation for a General Cartell which if settled According to Sir Guy Carletons Proposal to Exchange Seamen for Soldiers and that Soldiers so Exchanged shall not Serve against America within one year, will bring on a General Exchange, Congress has not given their Reply to the Above Proposal but will Probably Agree, with this Alteration, that those Soldiers Shall not Serve against the united S[t]ates or their Present or future Allies within that Time and further it will be Insisted on that the Ballance Due to the United States for Support of the Capitulants of Saratoga & York-Town be Adjusted & Paid.

The Approbation of Mr Smith as a Commissioner to settle the Accounts between the United States and ours will (we hope) be a Means of bringing those Accounts to a Satisfactory Close.[3]

An Ordinance for Regulating the Post Office of the United States is in Agitation and will Pass in a few Days by which some Present Inconveniences will be Removed and the Revenue arising from that Office Increased. The State of Maryland have Passd an Act Granting to the United States a Duty of five per Ct. on Importations &c so that the only States that Still Neglect are Rhode Island & Georgia and by their Means the Whole Measure is Retarded to the very Great Injury of the United States, who have no other Means to Pay the Interest of Monies Received on Loan; That of Bills on France being wholly Stoped.

The Continental Treasury is very low, not more than Twenty Thousand Dollars being yet Paid in all the States for the Expenditures of the Current Year, and unless the States Exert themselves in Collections the Most Distressing and Ruinous consequences must Ensue.

The Financers Notes and Bank Bills are in full Credit & Paid on Sight and are rather preferred to money by the Merchts. here and yet a Shameful Discount is Placed on them and large Speculations made by Traders in Distant States without Regard to Justice or Public Danger, Nothing will Prevent this evil but Regular and Effectual Provisions for taking up those Notes and Bills in Each State by the Collectors or Receivers of Taxes; in Exchange for hard Money & those notes be immediately delivered with the monies they may have Collected to the Treasury that the State may have the Credt of it with the united States.

It is mortifying to See Publications in all the Papers on the Continent that nothing has been Paid in Connecticut to the Receiver of Taxes. Might not Large Quantities of Salted Provisions on Hand have been Delivered to the Contractor for the Financers Notes and those Notes Negociated into the Hands of the Receiver of Taxes?

[4]The Agents of Pensylvania & Connecticut are Endeavouring to Agree on the Judges to Setle the Dispute between those States.[5]

We are with the Greatest Respect, Your Excys. Most Huml Servts.

Elipht Dyer

Jesse Root

Benj Huntington

RC (Ct: Trumbull Papers). Written by Huntington and signed by Huntington, Dyer and Root.

[1] Not identified.

[2] See *JCC*, 22:413–14.

[3] Melancton Smith, a New York merchant who had been nominated by Robert Morris as commissioner to settle Connecticut's Continental accounts, was approved by the Connecticut assembly on July 3. See Morris, *Papers* (Ferguson), 5:338, 6:397.

[4] At this point Huntington added an asterisk to which he keyed the following words at the foot of the page: "Hic Labor, Hoc Opus est!"

[5] See Connecticut Agents to Pennsylvania Agents, July 25, 1782.

Thomas McKean to Nicholas Van Dyke

Dear Sir, Philadelphia. July 29th. 1782.

Your favor of the 22d instant, with Henry Reynolds papers inclosed, came safe to hand, but I want the declarations, or at least the substance of them. Be so good as to send me copies by the first opportunity.

To morrow morning I purpose to set out for Newtown in Bucks county, to hold a court of Oyer & Terminer there, but expect to return the latter end of the week. We are very busy in Congress, but have no news of any consequence Rhode-Island has not yet granted the duty of five per centum; no taxes are coming in; the army must be paid or we shall be in a miserable situation. I hope all those, who can pay their taxes, will do it speedily.

I am, dear Sir, in haste, Your most obedient humble servt.

Tho M:Kean

RC (DLC: Nicholas Van Dyke Papers). Addressed: "Nicholas Van Dyke Esquire at Newcastle."

Charles Thomson's Notes of Debates

1782, July 29.

The order of the day being called for to fix the salary of the Comtt to be appointed, pursuant to a resolution of the 28 May last, to liquidate and finally settle the accounts of all the servants of the

United States who have been entrusted with the expenditure of public money in Europe, a motion was made by Mr Telfair for 4000 dollars per annum.

Mr Smith objected to the fixing any salary, that it was not a standing office, that when the service was performed a *quantum meruit* should be allowed, that it would make a material difference whether a person was sent from hence or one residing in Europe was appointed. Some objections was made by several members against settling the accounts in Europe whereupon a motion was made by Mr Montgomery seconded by Mr Lee to reconsider the resolution of 28 May. Question taken, passed in the affirmative.

Mr Ramsay moved to augment the number and instead of one to appoint 3 Comrs. Mr Bland was against the appointment altogether, thought the acct should be sent over and settled by the proper officers in the treasury, spoke of improper contracts being made & old arms sent over.

Mr Dyer was of the same opinion.

Mr Madison was for sending a person or persons to liquidate but not with power finally to settle the acct.

Mr Scott was of the same opinion—expatiated on the advantages of sending a person to examine vouchers on the spot, collect facts & evidences & give information; that instructions might be given in the way of a commission from chancery by which little would be left to discretion.

Mr Bland spoke again; concurred in sentiments with Mr Scott and moved to commit the resolution.

Mr Witherspoon spoke to the same effect and seconded the motion for committing.

Mr Telfair made a rambling speech.

Mr Lee spoke much of the necessity of investigating thoroughly the accts of merchants and people employed in France, mentioned the accounts offered to the comn in France by M. Monthieu, an acct in one line of so many suits of Cloaths, or so many shoes, blankets &c., but no invoices. And the most they could get from him was so many bales. casks &c but no acct of the contents of each, that it was necessary to examine persons at the ports of delivery relative to the quantity recd.

The Resolution was comd to Mr Scott to report the powers with which the Comtt should be invested, a draught of instructions to be given & to confer with the Superintendt of finance on the subject.[1]

Reprinted from *NYHS Collections*, 11 (1879): 69–70.

[1] For the context of this debate, the congressional resolution on this subject eventually adopted on November 18, and the instructions from the superintendent of finance to the commissioner appointed to settle such accounts, see *JCC*, 22:416, 421, 23:728–30, 773–82; and Morris, *Papers* (Ferguson), 7:168–75.

Theodorick Bland to St. George Tucker

Dr. Sr. (No. 9) Philadelphia July 30th 1782

I acknowledge the Rect. of No. 6. The french fleet consisting of thirteen ships of the line, three frigates & a Bomb Ketch with 4000 Land forces are certainly on our coast steering for N.Y. where tis supposed they are arrived.[1]

Some eastern Privateers have taken Six of the Br. Quebeck fleet inward bound one of them worth £20,000 Stg.

Holland has on the 19th of April last declared our Independance and admitted Mr. Adams Mr. Plen. from U.S. to the S[tates] G[eneral].

It is pretty confidently expected (but wants confirmation) that a fleet of Dutch Men of War which saild from Europe in April or May have fallen in with & taken four British Ships of the line which they have carried into Curacoa with about 20 or 30 transports.

Count de Grasse has arrived in Paris where he has 'tis said impeached 15 of his Capts. I have no time to enlarge so have given you the news Seriatim. God Bless you—you will draw your own conclusions from it. Adieu

RC (ViW: Tucker-Coleman Papers). In Bland's hand, though not signed.

[1] John Hanson also made the following observations on the arrival of the French fleet in a brief personal letter to Philip Thomas this day. "I Congratulate you on the Arrival of a French fleet off Cape Henry. Their designs will be Known by their future opperations. It is Conjectured by Some that they mean to Scour the Coast and make what Captures they can. But I hope our good Ally by Sending them here has Something further and of more importance in View—be the object what it may while they are on the Coast they will afford protection to our trade which is to us of the last importance." Hanson Letters, MdHi.

Minutes of the Committee on the Department of Finance

Minutes of Committee
on Department of Finance.
Finance Office 30th July 1782.

Present Mr Duane, Mr Osgood, Mr Clarke, Mr Lee.[1]

Agreed to meet for the dispatch of this Commission Tuesdays, Thursdays, and Saturdays, at 9 oClock A.M.

Enterd on the first Object of the Enquiry—vizt.

I. The Publick Debts.

a. Examind Account of Debts due on Loan office Certificates[2] and debts due on Subsequent Certificates called Funded Debts,[3] vide Accounts.

b. The Mode of settling those Accounts & giving the Certificat
explaind.

c. Clause of a Report read intended to be presented by the Financi
to Congress respecting European debts &c. This Report will
accompanied by the Account A.[4]

d. The Financier observes that the Accounts with the several Stat
and Departments in the staff are not yet enterd upon from t
difficulty of getting Commsrs. Commissrs. only appointed f
Connecticut, New Jersey, Virginia, Maryland.[5]

Adjournd to Thursday Morning 9 oClock

MS (DNA: PCC, item 142). In the hand of James Duane.

[1] That is, James Duane, Samuel Osgood, Abraham Clark, and Arthur Le
Thomas McKean was absent. For the appointment of this committee, see committ
on the Department of Finance to Robert Morris, July 19, 1782. Superintende
Robert Morris, the other person in attendance, entered the following remarks co
cerning this meeting in his official diary this day. "The Hon. James Duane, Arth
Lee, Mr. Osgood and Clarke a Committee of Congress appointed for the purpose
examining into the Execution and Management of the Duties of the Superintenda
and Subordinate Branches of the Office of Finance came by appointment to Com
mence their Enquiries, and first they examined into the State of the public Debt
which I gave them every information in my power. They then adjourned un
Thursday next when they are to meet again and proceed in their enquiries." Morr
Papers (Ferguson), 6:87.

[2] For this category of the public debt, see Morris' June 13 report to Congress on t
Continental loan offices, ibid., 5:396–99.

[3] See ibid., 6:74–75, 105–6.

[4] Not found.

[5] "Maryland" added in an unidentified hand.

David Howell to William Greene

Sir, Philadelphia 30 July 178

It being impracticable for a new member of Congress soon t
comprehend our great national concernments & the views & pur
poses of Principal men in the various Departments and especiall
the complicated System of European Policy you will not expect suc
proffitable communications from me at present as are to be ex
pected from my Colleague, who has every advantage to be derive
from experience in military & political life. I shall, however, neglec
no opportunity of transmitting every intelligence from time to tim
which may be in my power & affect the Interests of my constituents

Eleven States have transmitted copies of their acts vesting Con
gress with a power to levy and collect a duty of 5 per Cent. o
Imports & Prize goods; all of which acts are passed on the expres
condition that the measure shall be universally adopted throughou
the United States and some of them have other conditions annexed

Such as the following. That after a term of years it shall be in the power of the State to substitute some other revenue equally productive and which shall be approved of by Congress. That no part of the revenue shall ever be appropriated to the discharge of half-pay, pensions, &c. That the State retain a right of appointing, or suspending the Train of revenue officers, within its jurisdiction, &c. &c. Whereon I shall only observe that a reluctance against the measure appears from the mode of compliance therewith in some instances.

A Committee was lately appointed in Congress to enquire into the reasons why the other States had not complied with this recommendation before whom, on notice & request, the Delegates for the States of Georgia & R. I. & P. Ps.[1] appeared to give Information.[2]

Having discovered on my arrival in this City that all the members of Congress, as well as the Inhabitants, were universally in favour of the Impost, and concluding that my single voice would be unavailing against the general current: I cautiously avoided entring unnecessarily into the discussion of the Subject, but being called on this occasion to assign the reasons which induced a delay on the part of my Constituents, a fair opportunity opened, I embraced it with pleasure, to lay before the Committee the following representations.

That the maritime Situation of our State peculiarly exposeth us to the attacks of an enemy in a time of War. By a *coup de main* an enemy may lay waste our Sea-port towns all around the Naragansett-bay, destroy our Navigation and plunder the whole treasure of our little State; in which sad Catastrophe the value of the State would be reduced to that of a County in the neighbouring States: and yet we should have no claim in virtue of any compact, or Stipulation, on the fœderal Union for a reimbursement. That in fact this had partially taken place; our State had been invaded & plundered, our Towns partly burnt, & partly torn down, & our Navigation reduced to a very low ebb—So that out of the ancient & once wealthy Town of New-Port, which in the year 1774 sent to Sea nearly 150 Sail, three only were at Sea in March 1782: WHEREFORE, if any substantial revenue could be derived from a duty on trade, this benefit ought, in all right & justice, to belong solely & exclusively to the State in Compensation for losses already sustained, and as a Security against still more fatal evils to be apprehended in all future Wars. That this was the voice of nature, the voice of reason & the voice of *Confederation,* the Constitution of the Ud. Ss. which had in this particular, secured to us our Birthright, Viz. THE WHOLE, ENTIRE EMOLUMENTS OF OUR OWN TRADE. It was moreover represented—That, in fact, the measure in its present form tended to raise a revenue within our State & from the earnings of its Inhabitants to be carried to the general credit of the Ud. Ss.: Inasmuchas, not only in the first instance, would the Merchant be compelled to pay the duty at all events on Importation, which it might, or might not be in his power to Superadd to the price of his merchandize; but admitting the duty to be superadded, and the revenue to be wholly drawn out of the consumer, the first consequence would be an obvious inequality in respect to individuals, & the second a no less obvious inequality in respect to the Several States. And that our State would feel this grievance more sensibly than any other State in the Union, as consisting more of Merchants, manufacturers & tradesmen who are chiefly subsisted on imported goods and consuming a greater proportion of dutied articles would pay an unequal part of a revenue to be appropriated to the common benefit of the Union. Another consequence would be the rise of the prices of such articles of country produce as may be substituted in lieu of imported articles, which would no doubt continue to bear nearly their usual proportion to each other, & being drawn from our neighbouring States although by an Inland communication, they would thus in fact come charged with the five per Cent. duty, which would be pernicious to our intrests & increasingly so in all future time. And, moreover, that inland duties, imposed at the pleasure of our neighbours, on specific articles in addition to their prices thus unnaturally raised, (which by the way the Confederation authorised them to impose) and temporary Embargoes, the effects of which we had sorely felt during the State-bill, might lay us wholly at their mercy and precipitate our ruin; while, on the contrary, should trade remain unfettered with duties, & free to all the world, while our Ports continued open, supplies might be drawn from any part of the World, whereby we might be enabled to treat with our neighbours, however extensive their territory, or however overbearing their temporary insolence, upon terms of equality.

It was further represented—That it derogated from the Sovereignty & Independance of the State for the Ud. Ss. to draw a Revenue for their benefit out of our State & to collect it by their officers—For that all monies raised in a Sovereign State ought to pass to the credit of that Sovereignty exclusively; and all civil officers acting in a Sovereign State ought to be authorised by & accountable to that Sovereignty—the contrary being a Solecism in Politicks, and in this case injurious to the State.

That such was the State of mankind that the experience of ages evinced the extreme difficulty of collecting duties on trade. That this difficulty would be less should the duty proposed be laid on by the State for its own benefit and greater in the measure proposed. In the former case it would be the interest of every citizen to aid in the collecting with a view of lightening his own Tax thereby: in the latter, he would not only promote his own particular intrest by avoiding the duty in his own case, but the intrest of his State in abetting others in the practice: Therefore it was not probable that the measure proposed was practicable, at least so as to afford any considerable net produce, after deducting the vast expences of the numerous officers necessary in the collecting & after management thereof.

That the term of its duration was exceptionable and precluded the State from the possibility of revoking their grant in any future Period, should experience prove it ever so unproffitable & ruinous.

That Congress were not to be accountable for the amount or expenditure of this revenue; but on the contrary it was to be absolutely at their disposal, during a term of time which would be wholly in their power. That perhaps it might really be the Intrest of the Ud. Ss. never to discharge all the debts contracted, and to be contracted during this War, and if so the duty, by the terms of the grant, was to remain to perpetuity.

That however safely this extraordinary, uncontroulable & unaccountable power might be granted to the present Congress, a change of times & of men—might bring forth abuses at present unthought of, and cause us to rue the fatal day when we so rashly devested ourselves & that irrevocably, of a power naturally inherent in the several States & guaranteed & secured to us in Confederation.

It was further represented—That the measure proposed in addition to all the evils aforsd. had an unpromissing aspect upon the morals of the Community at large, by multiplying oaths, by increasing temptations to perjury both in officers of the customs & in citizens, & by nourishing in idleness & Luxury a numerous train of Collectors, Comptrollers, Searchers, tide-waiters, Clerks, &c. &c. whereby the country would loose the benefit of their industry & incur the additional charge of their support & that not to *create* a revenue but only in order to throw taxation out of its *present channel* & to bring the weight thereof upon particular setts, or descriptions of men in the community to their great & lasting injury.

That it did not appear as yet in what manner Congress would enforce the Law proposed, whether prosecutions were to be commenced or penalties were to be recoverable in the common Courts of justice, or whether the Maritime Courts were to be impowered to have cognizance hereof & that the general plan for the execution of the Law might affect the propriety of making the grant in question.

That I had lately received pointed instructions to make urgent application to Congress in behalf of my Constituents for a participation in the *vacant*, or *backlands*, to which they claimed, for reasons the most substantive, a good right in common with their Sister States. That Congress had hitherto delayed to come to an ultimate decision hereon—And as some States pertinaciously persisted in claiming exclusive rights to sd lands: it was not to be expected that our State would part with all the benefits of its maritime Situation untill some assurance could be obtained of a Participation in common with other States in the back lands, which ought to be considered as a continental acquisition & to be appropriated accordingly—but this was thrown out as a reason of the delay in question only conjecturally, not being so assigned in the instructions referred to.

After proposing the following alterations, Viz.

1st. That each State retain the power of chusing the officers of the revenue to be collected within its own jurisdiction.

2. That the revenue arising from this duty be carried to the credit of each State, wherein it shall be collected respectively, and deducted from their annual *Quotas* of continental requisitions. I withdrew, not a little mortified at having been opposed rather than seconded by my Colleague.

It ought also to be noted that on this occasion, the extraordinary exertions of our State during the whole contest, and on the opening of the present campaign in special were mentioned & not contested & added much weight to the aforegoing representations in behalf of the State; And that the Committee have not yet made their report, which no doubt will produce a renewed application to the State: For, the same reasons, which make it against our intrest, to make this grant, make it the intrest of the whole Union to solicit it, which you may expect will be done with the most unremitting importunity. After the part I have taken in this matter, which has been done with views the most disinterested, so far as I am personally concerned, my Constituents will not expect any direct advice on the Subject; and knowing they possess integrity & abilities sufficient for the places they respectively fill, in all events, I shall always endeavour to reconcile myself to their determinations & govern myself by their instructions, however contrary to my private opinion.

A grand Committee for the support of public credit has lately been appointed in Congress, and I shall endeavour as one of that Committee to bring on a decision respecting the *back-lands*.[3] They would undoubtedly be a means in our hands of reviving public credit; they are of vast extent & value, beyond what is generally known or conjectured. A gentleman of no mean Talents in Finance thinks well of this plan, & that, in a course of time, they would enable us to discharge a great part of our national debt. So much in answer to the Instruction on that head referred to in your Excellencys Letter of 17 June last. The Commissioners appointed by the resolve of the 20 of February last are to liquidate and put on the list of the funded debt, which is to draw Intrest, all the Certificates issued on account of the Continent in the Several States. And it is proposed that in the Settlement to be made by the sd Commissioners the States have credit for their taxes of old money actually collected & paid in, & be charged with their deficiencies—but this arrangement is not compleated, nor fixed as it would affect individuals in possession of sd Bills as I can yet discover.

The recommendation of Congress of Feby. 20 last for empowering them to settle the several States Quota's of expences incurred before Janry 1 1782, otherwise than by articles of the Confederation, has been formally rejected by an act of the Legislature of Virginia; whether they fear the deviation would be made against their intrest, or mean to procrastinate a Settlement, I shall not undertake to determine.

Several reductions in public expenditures have taken place since I have had the Honor of a Seat in Congress. Œconomy is the present plan; the good work is begun, & going on, I perceive, can yet be done; & my exertions, such as they are, will not be wanting on this Subject. Could prompt pay be made to the army, many reductions might take place with propriety & without inconvenience. Is not this an object worthy our attention?

By a resolve of the 23 October 1780, the officers, who shall continue in the Service to the end of the War shall be entitled to half-pay during life; as well as those who are reduced by the resolve of the same day; & others deranged by other resolves & permitted to retire; whereby the Ud. Ss. are loaded with half-pay officers, even during the war, and that which was intended as an antidote against depreciation is continued, even now when the army is paid in hard money & having been originally intended as a motive to keep officers in the army, is now become a temptation for them to leave it. And what is still more extraordinary by another resolve, half-pay is to be made in all cases in proportion to full pay, so that a M.G. and B. Gl. draw their respective half pays, instead of the half-pay of a Colonel—against the universal custom in all European nations, where there are half-pay establishments. A Major General & a Brigadier General lately applied to Congress for leave to retire on the half-pay establishment & obtained it,[4] and officers of inferior grades in the Line are daily retiring on half pay and others advanced to take their places, whereby we have duplicates & triplicates of officers in some instances and an enormous expence is incurred. This in my opinion calls loudly on the Legislatures of the States either to provide Funds, in addition to the 5 per Cent, which will be insufficient, or to instruct their Delegates to discontinue the practice. I the rather wish for instructions on this head as I am so unhappy as to differ from my worthy Colleague on these points, tho' I do it with much diffidence & reluctance.

A report lies for Congress from the office of Finance recommending the 5 per Cent., a Land tax of one Dollar per hundred acres & a Capitation tax. From this report Congress have taken & recommended only the 5 per Cent.[5] QUERE—Would either of the other two be eligible?

July 31. This day the Grand Committee referred to above for reviving credit reported the expediency of taking up the Consideration of the cessions made by New-York, Connecticutt & Virginia so as ultimately to bring on a decision of Congress upon the Subject of the *vacant Lands;* a motion was made & seconded by me that next Wednesday be assigned for considering sd report.[6] The yeas & nays called & the question was lost by our States being divided. And so nothing is likely to be done about that part of your Excellencys Instructions.

Having already as I fear transgressed on your Patience I shall conclude this Letter in congratulating your Excellency on the acknowledgement of our Independance by the Seven United Provinces of the Netherlands; this alliance, which we flatter ourselves is by this time completely formed, is natural and I cannot doubt will prove mutually beneficial to the parties.

Hoping to be excused for not having written before as well as for having written so much now I beg leave to assure your Excellency,

That I am, with every Sentiment of esteeme & deference, your Excellencys most obedient & most humble Servant,

David Howell

P.S. Please to excuse inaccuracies this Letter is too long to transcribe. And Mr Morris has this moment sent me a note requesting the reasons in writing why our State has not complied with the recommendation for 5 per Cent. as he is about to write to the State on that Subject.[7]

RC (R-Ar: Letters to Governors).

[1] That is, Rhode Island and Providence Plantations.

[2] This committee, composed of James Duane, Joseph Montgomery, and John Rutledge, had been appointed on July 22 to "enquire into the obstacles which have retarded a compliance" with Congress' request to the states to approve a Continental impost. It is not known if the committee ever formally reported or if their work was subsumed in the recommendations of the grand committee adopted in October calling on Rhode Island and Georgia "for an immediate definitive answer" whether they would authorize Congress to levy a 5% impost. See PCC, item 186, fol. 44; and *JCC*, 23:643.

Howell's opposition to the impost amendment was well known before his arrival in Philadelphia in June. In response to a number of essays by James M. Varnum urging ratification of the impost published in the *Providence Gazette* in March, Howell had written three lengthy essays against the measure which appeared in the March 23, 30, and April 13, 1782, issues of the *Gazette*, which gained him considerable attention and undoubtedly the popularity which led to his election as a delegate to Congress by the Rhode Island Assembly on May 1, 1782. Varnum's campaign on behalf of the Continental impost after his return to Rhode Island in November 1781 and Howell's emergence as the leading spokesman of the opposition to the measure has been discussed at length in Irwin H. Polishook, *Rhode Island and the Union, 1774–1795* (Evanston, Ill.: Northwestern University Press, 1969), pp. 66–80. For analysis of the reception accorded the proposed impost amendment in all the states, see Jackson

Turner Main, *The Antifederalists; Critics of the Constitution, 1781–1788* (Chapel Hill: University of North Carolina Press, 1961), chapter 4.

[3] Howell was a member of the grand committee appointed on July 22 "to take into consideration and report the most effectual means of supporting the credit of the United States." *JCC*, 22:407–8.

[4] That is, Maj. Gen. Samuel Holden Parsons and Brig. Gen. John Glover. See Abraham Clark to Elias Dayton, July 29, 1782.

[5] See Morris, *Papers* (Ferguson), 6:36–84.

[6] According to Secretary Thomson's journals, James Duane rather than Howell provided the second for this motion made by John Witherspoon. *JCC*, 22:423–24.

[7] See Howell to Robert Morris, July 31–August 2, 1782; and Morris, *Papers* (Ferguson), 6:115, 123–26.

Benjamin Huntington to Jonathan Trumbull, Sr.

Sir, Philada July 30th, 1782.

I have Secretly Employed a Person to Enquire at the Brokers to Know the Exchange between Continental & hard Dollars as they are an Article of Traffic in that Office and find that the Current Exchange is and has for Some Time been at Two Hundred for one and Larger Quantities might be had Cheaper, Provided the negociation Could be made without being Public. The Traders from the Eastward now in this Place could take Large Sums in Continental Bills for Goods, and would Gladly Do it Provided they Could be Assured of Receiving the Exchange in Hard Money and Perhaps Provisions in our State. I thought it Proper to Acquaint your Excellency with the Above Matters by this Private Letter as a Hint that may be Depended on and Perhaps Improved for the Benefit of the State if within the Power of Your Excy & Council but I Immagine that any Public Steps to Purchase up our Quota of those Bills will Increase the Demand for Them to a Considerable Degree.

I am with the utmost Respect Your Excy's Most Huml Servt.

Benj. Huntington.

RC (Ct: Trumbull Papers).

James Madison to Edmund Randolph

My dear Sir Philada. 30th July 1782

I was not mistaken in my {intimation that an attack would be made on}[1] the {last commission} and {instructions} relative to {peace. On Wednesday} last the {motion was made by Mr Lee}[2] and {seconded} by {Bland} at {first but} afterwards {by a member from Mas.} the {rule for reconsideration} so requiring. Not a word {was said} against {the} underscored in the third line.[3] The arguments on the other point[4] were drawn from a source[5] which need not be pointed out to you. An {adjournment arrested the debate}. An intended {renewal was announced but has not yet taken place}.

I have found means hitherto of parrying the {attack on} the {notes of Morris}. My {colleagues have repeatedly} pressed the necessity of an {act of congress} for {ratifying the convention} on that subject, be{tween} him and the {assembly ostensibly for the security of} the latter, but {really} to bring the {subject before congress}.[6] At present {Bland seems} to decline the object as having an {ill tendency}.

If any mail has failed to bear witness to my punctuality It has not been caused by any default in me. I am the more at a loss to account for such a miscarriage, as it does not appear that any outrage has been repeated on the post.[7] I shall notify the fact to the Post office here, and think it will not be amiss for you to urge an investigation upon the Post Master at Richmond.[8]

The letter inclosed in your favor of the 18th from Doct. Carter has been sent to the Auditors.[9] As far as my attention may be necessary, his case will recieve it.

A Capt. of an American Vessel is just come up with an account of the arrival of a French fleet off the capes of Chesapeak, with a body of Troops on board. Many persons are so sanguine as to expect that this armament is destined agst. New York, and that it will immediately possess itself of the Harbour of that place, before the arrival of a superior enemy can prevent it. Altho' the troops on board seem to favor such a conjecture, there are improbabilities which with me outweigh that circumstance.

I am not enabled to make any addition to the intelligence from the Netherlands conveyed in my last. You will find by the inclosed paper that a Vessel is arrived at Boston from France, which brings some loose accounts. Private letters tell us that Majr. Franks was a passenger in her. From him we shall probably receive further advices with respect to Europe in general, and ample ones from Madrid. I add to the paper of this morning two others of prior date which detail some interesting proceedings in the B. & I. Parliaments not published in the paper transmitted by last post.[10] Some paragraphs of the Courier de L'Europe contained in neither of them, make it very probable that the New Ministry have been feeling the pulse both of Dr. F. & the Ct. of France. We are very much surprised that none of these important transactions should yet have come officially either to Congress or to the Chevr. de la Luzerne.

[*P.S.*] My situation obliges me to remind you of my late request touching pecuniary matters. If the interposition of your endeavors shall be necessary, to hasten a supply, it will I assure you be a very acceptable instance of your friendship.

RC (DLC: Madison Papers). In Madison's hand, though not signed. Madison, *Papers* (Hutchinson), 4:447–48.

[1] Words printed in braces in this text were written by Madison in cipher.

[2] For Arthur Lee's motion—"That the Commission of the 15th June, 1781, appointing Ministers Plenipotentiary to negotiate a Treaty of Peace with Great Britain together with the instructions given to the said Commissioners be re-considered"—see *JCC*, 22:415. See also Arthur Lee to James Warren, July ? 1782.

[3] Madison had underscored the ciphers for the word "commission" in the third line of the manuscript.

[4] That is, "instructions." For Madison's opposition to a reconsideration of the commission and instructions of the peace commissioners, see Charles Thomson's Notes of Debates, July 24, 1782.

[5] Probably Arthur Lee.

[6] See Madison, *Papers* (Hutchinson), 4:449nn.6,7.

[7] For Randolph's suspicion that the southern mails had again been intercepted by British agents, see his letter of July 18, ibid., p. 423n.14.

[8] James Hayes, Jr.

[9] For Dr. William Carter's claim, see ibid., p. 424n.15.

[10] Extracts of debates in the British and Irish parliaments between March 22 and May 10, 1782, appeared in various recent issues of the *Pennsylvania Gazette*, *Pennsylvania Journal*, and *Pennsylvania Packet*, July 24–30.

Charles Thomson's Notes of Debates

1782, July 30.

A letter from the Secretary of War was read,[1] enclosing a list of promotions and appointments in the Connecticut line made by the Council of Safety of that State.

Mr Cornell observed that the promotions were made not only on account of death, desertion, and resignation, but also on account of officers retiring. That he understood it was become a custom among the officers of that line, when tired of the service, to withdraw from the army with the consent of their superior officers, and under the title of *retiring* officers to claim half pay for life & that thereupon others were promoted in their stead. That if this practice was allowed & the claim admitted, he saw nothing to prevent the State from putting every man in it on the half pay establishment & therefore objected to the granting Commissions.

Mr Dyer seemed to admit the custom, and justified it by observing that the same was practised in other States; other States did it in a hidden way, "this return is honest, fair, plain, no disguise;" several spoke on the occasion and reprobated the practice.

A motion was made to commit.

Mr B. Huntington observed that some of the promotions and appointments were made on right principles, though others were on wrong, he therefore was for commitment, which was agreed to.

The Secretary of War having some days ago reported on a memorial of Webster and Judd, in behalf of the deranged officers of

Connecticut line, stating that the half pay to which they were entitled by the acts of Congress of the 3 and 21 Oct. 1780, was not paid, and praying Congress "that such effectual and seasonable provision may be made as will comport with the aforesaid resolutions, relieve the distressed & answer the just expectation of the said officers,"[2] and the report having been referred to Mr Cornell, Mr Montgomery, and Mr McKean, the Comtt reported the Congress should resolve *That it was inexpedient to comply with the request of the memorialists.* This was objected to, as improper. That it was not doing justice to Congress, nor would it satisfy the memorialists to ground the denial upon inexpediency. That it was out of the power of Congress to comply with the request, as the States had not furnished the necessary supplies of money; and therefore

Mr Duane moved to insert *impracticable* in lieu of *inexpedient.*

Mr Cornell and Mr Montgomery of the Comtt present, informed the house that the memorialists were sensible of the deranged state of the public finances and the inability of Congress to pay at present, and therefore only requested to have their accounts settled and Certificates given for the sums due, payable, with interest, at a future day; that the report was calculated to meet this request, which the Comtt thought it to be inexpedient to comply with till funds were granted for the purpose, this explanation not satisfying the house and the question for Mr Duane's amendment being lost, the report was postponed, and a motion was made by Mr Bland, seconded by Mr Lee, "That the memorialists be informed it is not now in the power of Congress to make a general arrangement for liquidating and pay the half pay due to the reduced officers, and that it would be inexpedient to make a partial arrangement for that purpose."

This brought on a new debate, in the course of which Mr Clark expressed a doubt whether the States or Congress were bound by the Resolution granting half pay to the officers, as it had passed by the votes of only eight States, for though it passed before the articles of Confederation was finally ratified by all the States, yet being for the appropriation of money, and that to be made at a future day, and the votes of nine States being now necessary for that purpose, he doubted whether Congress or the States would agree to it, and therefore was against any new promises tending to confirm the former act; Mr Dyer & Mr Cornell were also against confirming the former acts by new engagements & mentioned that the Eastern States were opposed to the measure, and would not make grants to enable Congress to comply with the resolution.

Mr Dyer said that the State of Connecticut would agree to make some compensation to officers for past services and sufferings, nor would it object to the paying officers who retired under the act of 3 & 21 Oct., 1780, a sum equal to their half pay during the war, but the State expected that all these pensions should cease as soon as the war was at at end.

Mr Madison combated the objection of Mr Clark; the doctrine it intended to establish was dangerous and if admitted would sap the foundation of a credit, and might be attended with the most ruinous consequences; that the States were as much bound by acts of Congress, which passed by a majority of votes, before the ratification of the Confederation as they would be now by the number of votes required by the Confederation: that on this rested the treaties and alliances already made and the instructions given to our ministers abroad to enter into other treaties and alliances; on this rested the money borrowed and the debts contracted, at home and abroad, for the payment of which the public faith was solemnly plighted & for which the States must provide funds, that the fixing of the pay of the army rests solely with Congress & that the States are bound to provide for what is stipulated and granted to the officers and men, whether to be paid then, at certain periods & in certain sums during service only, or while in service and for years or lives after the termination of the war; Mr Duane supported the argument of Mr Madison. Mr Root was for postponing the farther consideration of the subject. Mr Cornell was of the same opinion & thought the officers who were at home had the less reason to complain, as those in the field were not paid. Several other members spoke, at last an adjournment was called for & the house broke up without coming to a decision.[3]

Reprinted from *NYHS Collections*, 11 (1879): 70–73.

[1] Not found.

[2] For the July 17 memorial of William Judd and Pelatiah Webster and Benjamin Lincoln's July 23 letter on the petition, which were referred to committee on July 25, see PCC, item 19, 6:491–99; and *JCC*, 22:404, 418.

[3] For the continuation of these proceedings, see Thomson's Notes of Debates, July 31, 1782.

Virginia Delegates to Benjamin Harrison

Sir, Philadelphia, July 30th. 1782

We deliverd the Letter to the Chevalier de la Luzerne, enclosd in that your Excellency honord us with on the 19,[1] together with the apology you desird for your Congratulations, on the auspicious event of the birth of a Dauphin, having arrivd so late. The Minister expressd his satisfaction in receiving it.

The Secretary for foreign Affairs will pay proper attention in future to your Excellency's Address. Due enquiry will be made by the Post-master-general, into the miscarriage of our Letter of the 9th ult. of which we now send a Copy.[2] We shall make all possible enquiry concerning Mr. J. Todd & his proceedings here.[3]

That part of your Excellency's Letter of the 11th relating to the expence of garrisoning York & Glocester, was laid before Congress, & referrd to a Committee, which has not yet reported upon it.[4] We shoud be happy to hear, from time to time, of the success of the recruiting plan.

It is so confidently reported here, that a fleet of 13 Sail of french Ships of war, with 4000 land Forces & a numerous Convoy, are arrivd in the Chesapeake; that we cannot help congratulating your Excellency on an event, which promises so much to our State & to the Union.

With sentiments of the profoundest respect, We have the honor to be Yr. Excellency's most Obedt. & most Humbe. Servants.

Theok. Bland Jr.

J. Madison Jr.

A. Lee

RC (Vi: Continental Congress Papers). Written by Bland and signed by Bland, Lee, and Madison.

[1] See Madison, *Papers* (Hutchinson), 4:427.

[2] For the RC, see Virginia Delegates to Harrison, July 9, 1782. The "Copy," in the hand of Arthur Lee, is in the Continental Congress Papers, Vi.

[3] For the activities of Col. John Todd, Jr., and his reported "proceedings" in Philadelphia during the winter of 1780–81, see Madison, *Papers* (Hutchinson), 427n.3.

[4] See Virginia Delegates to Harrison, July 23, 1782, note 3.

Ezekiel Cornell to William Greene

Sir Philada. July 31st. 1782.

I need not mention to your Excellency, the length of time I have been absent from my family, ne[i]ther do I conceive it necessary to use any argument, to urge the Honle. the genl. Assembly, to give direction that I be speedily releived, the frequent indulgences that I have received from them, make it unnecessary. I therefore in full confidence, that, that Honle. body, will chearfully give me the indulgence asked for, by ordering me releived as soon as justice and policy will permit, patiently wait your Answer.[1]

I have the honor to be your Excellencys most obedt Hume Servant, Ezek Cornell

RC (R–Ar: Letters to Governors).

[1] Cornell, who had been in Philadelphia since June, 1780, serving alternately as a delegate to Congress and a member of the Board of War, remained in Philadelphia until about September 20. He had been asked by the superintendent of finance on May 10 to serve as inspector of contracts for the Continental Army, but after first signifying his acceptance had declined the post upon learning that he had been reelected a delegate to Congress by the Rhode Island Assembly on May 1. He reconsidered the offer early in September, however, and was commissioned inspector of contracts for the main army on September 19. He probably left Philadelphia the following day; his last recorded vote in Congress was cast on September 18. He was succeeded as a delegate by Jonathan Arnold, who took his seat in Congress on October 10. To Morris' chagrin, the Rhode Island Assembly subsequently censured Cornell for accepting Continental office while still a member of Congress. See Morris, *Papers* (Ferguson), 5:27, 6:161, 226, 368, 371, 380, 396, 400–401, 408–9, 573n.19, 7:126–127; and *JCC*, 23:590, 642.

David Howell to Robert Morris

[July 31–August 2? 1782][1]

Some objections against passing an Impost Law, in the State of Rhode Island and Providence Plantations, briefly stated at the request of the Superintendent of Finance, by his humble servant, D. Howell.

It is assumed that the usual mode of taxation draweth supplies from the people, proportionate to what they possess, and have defended by the public, and is therefore founded on the most obvious principles of justice. But the measure proposed would either draw a disproportionate supply from the merchant, as such, or from the consumers in general; if from the merchant, according to what he imports; if from the consumer, according to what he consumes. In either case, it would bear hard on the citizens of Rhode Island and Providence Plantations, who both import and consume of important articles, a greater proportion than any other state. As the State of Rhode Island and Providence Plantations is subjected from its maritime situations to greater losses and risks in war, without any claim of reimbursement, therefore, in virtue of any compact or stipulation on the Federal Union; if any revenue can be raised from trade in the way proposed, or any other, the State is entitled to the exclusive benefit thereof, and that the amount annually passed to their credit, and be collected by officers of their own appointment, in common justice recognized in confederation. Should a duty be laid on imported goods the prices of such country produce as may be substituted in their room will be raised, (should said duty be superadded to the former prices of imported goods,) and preserve nearly their usual proportion thereto. These being drawn from neighboring states, will eventually come charged with a similar duty, and thus the neighboring states in particular, and the Union at large, will draw a substantial revenue out of the earnings and industry of the citizens of Rhode Island and Providence Plantations. Duties imposed directly on country produce, or inland embargoes by neighboring states, may in future put the inhabitants of Rhode Island and Providence Plantations on the necessity of subsisting themselves more, if not altogether, on imported goods, and increase the burdensome operations of the impost proposed. But while trade remains free to all the world and unfettered with duties, the State, though small, still remains independent.

So far from creating ways and means, or lightening our taxes, the measure proposed would incur the enormous additional charge of taking off from arts and industry a numerous train of men for the collection and after management of this revenue; and supporting them in comparative idleness only to shift the mode of raising supplies, and to throwing taxation into another channel to the lasting injury of certain descriptions of citizens.

After all this additional charge incurred, the revenue proposed would not be productive. It would be the interest of the merchant to avoid paying it, and the interest of the State to countenance him. Profanations of oaths and corruption in various forms would follow. No definite plan for the execution of the impost law has yet been promulgated. Whether penalties are to be recoverable or prosecutions commenced in the common or maritime courts, is not declared; and the operation of the law may be rendered more grievious by the mode of enforcing it.[2] The State wishes to preserve inviolate, Article 8th of the Confederation; and whenever their quota of continental requisitions shall be made agreeably thereto, to be permitted to raise it in their own way.[3]

N.B. The State is largely interested in Loan Office Certificates, and desirous of discharging interest and principal with honor.

MS not found; reprinted from Staples, *Rhode Island*, pp. 391–92.

[1] Although undated, this document was clearly written between July 31, when Howell stated in a letter to William Greene that he had just received Robert Morris' request for a written explanation of Rhode Island's opposition to the impost, and August 2, when Morris inclosed Howell's statement in a letter to Greene. See Howell to William Greene, July 30–31, 1782; and Morris, *Papers* (Ferguson), 6:115, 123–26.

[2] For the enforcement provisions of the draft impost ordinance then under consideration, see Morris, *Papers* (Ferguson), 6:683–84, 688–91.

[3] Article 8 specified that state quotas would be set "in proportion to the value of all land within each state, granted to or surveyed for any Person, as such land and the buildings and improvements thereon shall be estimated," and that "the taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states." *JCC*, 19:217.

Charles Thomson's Notes of Debates

1782, July 31.

A motion was made by Mr Root, seconded by Mr Condict,[1]

Whereas, Congress, by their resolution of 21 Oct. 1780, did in consideration of the merit and sufferings of the officers of the army grant to those who should continue in service to the end of the war or be deranged, in pursuance of the acts of 3 & 21 Oct, 1780, half pay for life;

And Whereas, Application is made by some of those officers for an adjustment of their half pay and Congress having no funds provided for discharging the same, resolved, that it be recommended to the several states to carry into effect the resolution of Congress of 21 Oct. 1780, granting half pay for life in regard to the officers in the lines of their respective states, and every state which shall settle with the officers belonging to their respective lines in regard to their half pay aforesaid and cause the United States to be exonerated therefrom shall be discharged from contributing any thing towards the half pay of officers in the line of any other state.

Mr Dyer opened the debate by observing that the resolution to grant half pay for life to the officers had occasioned more uneasiness in some of the States than any measure ever adopted by Congress. Some of the States it is true were for the measure. Pennsylvania had a similar provision for their officers before Congress passed the resolution. The States who were against granting half pay for life were not against making some compensation. The resolution proposed would satisfy the officers & the State & therefore he hoped it would be agreed to.

Mr Bland moved to amend the Resolution by striking out "shall be discharged," &c., to the end, in lieu thereof inserting "shall be credited in their annual quota to the amount of the half pay of the officers settled with." Mr Clymer seconds the amendment.

Mr Dyer against the amendment. It would not satisfy the States which objected to the half pay. They wanted to be discharged. They would settle with their own officers & satisfy them and then wanted to have done with it.

Mr Cornell was against both the motion and amendment; spoke against both.

Mr Witherspoon desires to know the difference between the original motion and the amendment, thinks the argument should be confined to shew that the motion is better without the amendment, or that the amendmt excels the motion as it stood.

Mr Bland explains that he meant by the amendment that the States should be jointly bound to the officers; but he had no objection that every State which settled with its officers should have credit for the amount of their half pay.

Mr Madison. All charges of war are by the Confederation to be paid out of one treasury. The motion violates this article of the Confederation; the amdmt is more conformable to it; but still does not meet his approbation.

Mr Clark is against the amendment & in favour of the motion, supports the opinion he advanced yesterday that the States are not bound, distinguishes between Congress and the States, thinks Congress are bound to do every thing they can to carry their resolution into effect. The recommendation contained in the motion is all they can do. Is not against doing justice to the officers & if the resolution passes has no doubt but the States will do them justice.

Mr Telfair. Some of the States are not in a situation to do anything and their officers will be unprovided for; for "*his part* he will be against the whole."

Mr Witherspoon is against the amendment, it does not make the proposition better, will not give greater security to the officers & will not satisfy the States which are averse to half pay for life. If the original motion operates to the disadvantage of any States it will be those who are in favour of it. But he reserves himself to speak to the motion when the question is taken on the amendt.

Mr Montgomery objects to the motion but if he thought it would pass he would be for the amendt. The motion with or without the amendt would not satisfy the officers. It had been hinted by the Comtt to the Memorialists yesterday and they objected to it with great warmth, said they were officers of the U. S. and not of any particular State, that they looked to Congress for their half pay and would think themselves deceived if referred to States which were opposed to it. That there were many officers of independent and separate corps which did not belong to the line of any State, who would not be provided for.

Mr Root. The original motion was confined to the line of the States, it left the general officers & those of independent & separate corps to be paid by congress and the States which settled with their own lines would be obliged to contribute their proportion to that expense, but he objected to the amendment because they would leave the matter as it now stood and expose them to provide for the lines of other States, which was what they wished to be discharged from. That they would satisfy the officers of their own line by making them a compensation at once. That the genius of their people would not brook the paying of annual pensions, that they could not bear to see men strutting about their streets in the port of masters who had a right to demand of the people a part of their annual labour & toil to support them in idleness. That they chose rather to pay their officers at once after the war and then see them descend into the class of citizens. He had seen one of the Memorialists this morning; he will be satisfied.

Mr Bland supports his amendment, it is the only way to do equal justice to the officers and the States. Thinks it not worth while to answer the *sophistical* arguments against the power of Congress to make the grant and bind the States.

Mr. Ramsay. Against the whole measure, the States to the southward, particularly South Carolina and Georgia, from the circumstances of the war had more than their proportion of officers when the reform of the army took place in 1780, that it would be unjust that those States which had suffered the most by the war should be subjected to the payment of more than their proportion when it was over. That the war was for the common defence and the expenses should be borne by all according to their several abilities.

The question on the amendment was called for and the yeas and nays required by Mr Clark—This brought up—

Mr Duane. This is a subject of too much importance to be decided in this hasty way, it requires deliberation. He is not prepared to give a vote. He wants time to deliberate and weigh the consequences. Will it satisfy the officers to deprive them of the guaranty of the U. S. & transfer them to individual States. Will the individual States be willing to undertake this. He does not know. Will any member undertake for them; they ought to be consulted. The war is not over. It may yet make a great change in the circumstances of particular States. Would it be just that officers who may have bled and suffered most should from the inability of their State occasioned by the calamity of war be in a worse situation than others with regard to their half pay. These are matters that require deliberation. He is not prepared to give an opinion.

Mr Clark maintains his opinion against the power of Congress, thinks that from the time articles of Confederation passed the rules by them established bound Congress though they were not binding upon the States until finally ratified. He has no objection against allowing time for deliberation.

Mr Montgomery & Mr Smith move to postpone the farther consideration of the subject; Mr Root attempts to alarm the fears of Congress by pointing out the dangers of postponing. Postponing the subject will be interpreted into a refusal; the army in the field are watching the conduct of Congress & will form a judgment by what is done for retiring officers, of what will be done for them when their arms are out of their hands. if they see justice done to those who have retired they confide in the promises & faith of Congress. But if they find them neglected or trifled with they will either quit the service immediately, or refuse to lay down their arms when the war is over until they have some better security. He thinks the measure was wrong at first. It was no part of the original contract with the officers. It was an extraordinary and gratuitous emolument. But being promised they consider it as their right and that no time should be lost in giving them confident assurances that they will not be deprived of it.

Mr Duane laments that the measures of Congress however just and necessary at the time are unreservedly blamed by members who were not present when they were adopted or who do not recollect the circumstances which compelled the adopting them; is confident if any of those who now so freely condemn the resolution for granting half pay had been present at the time they would have given their assent. He could appeal to one as well satisfied and from his situation better able to judge than any other in the United States, he meant the Com. in chief, that without it the army could not have been kept together. He thought the measure right then, he thinks so still. It is a reward of military merit adopted by the wisest & finest nations of Europe. He is for complying with the promise made. But is not for giving a hasty opinion on the subject now before the house.

Mr Lowell moved to add to the motion for postponing "till the first Wednesday in January next."

Mr Dyer against postponing for so long a time.

Mr Cornell not to be alarmed with the apprehensions of the army disbanding or refusing to lay down their arms when the war is over. He is acquainted with the officers; he never heard such intemperate language from any of them. They are men of judgment & consideration & citizens of the U.S. They have an interest in the prosperity of their Country. They are sensible of the embarrassed state of our finances and will not abandon their duty because every thing cannot be done for them at present that ought to be done. They will wait with patience till our affairs are in a better situation. He is for postponing till the time mentioned.

Question put and carried in the affirmative.[2] A Report was then made by a grand Comtt consisting of a member from each State who were appointed to consider & report the most effectual means of securing public credit, "that it was their opinion Congress should come to a decision on the cessions made by Connecticut, New York & Virginia," and a motion was made to assign a day for taking up *the report.*

Some of the members spoke against it, apprehending that the motion referred to the report of a Comtt on the cessions.

Mr Clark thought it involved questions which could not be decided till the war was over. He wanted to know where the land lay which was ceded; what right the states which had made the cession had to the land they ceded. That the boundaries of the several states should first be settled. He was against taking it in consideration now.

Mr Lowell wanted to know what right New York had to the lands she had ceded; that if any state had a right it must be Massachusetts, Connecticut & Virginia.

Mr Duane had no objection to go into an examination of the right of New York. He was prepared to enter on the subject & was furnished by his state with documents which he had laid before the grand Comtt and which would prove to the satisfaction of every impartial person the incontestable right of New York to the lands ceded.

Mr Dyer. Other states have not come so well prepared, it would therefore be improper and injurious to those states who claim the land ceded by New York to go into that matter now. The motion being explained and confined to the report from the grand Comtt.

Mr Jackson, objects to the consideration of it as a means to establish public credit. A good deal of conversation passed on the subject, at last the question was put and the yeas and nays being required by Mr Witherspoon it was lost, only six states being in the affirmative.[3]

Reprinted from *NYHS Collections*, 11 (1879): 73–80.

[1] For the context of these proceedings, see Thomson's Notes of Debates, July 30, 1782.

[2] For Congress' subsequent action on the memorial of the "deranged officers" of Connecticut early in 1783, see *JCC*, 24:43, 153–54; and PCC, item 19, 6:501–8.

[3] For this debate on the grand committee's recommendation "that Congress decide upon the cessions from Connecticut, New York, and Virginia" as a means to establish the credit of the United States, and the vote on John Witherspoon's motion to take up the committee's report on Wednesday August 7 (which failed by a vote of 6 to 2, with 2 states divided and 3 unrepresented), see *JCC*, 22:423–24.

John Rutledge to John Dickinson

Dr. Sir, Saturday Eveng. [July ? 1782][1]

I could not, till this day, obtain Answers to your Enquiries, respecting Colo. Hayne. You will, therefore, I hope, excuse the delay. Be pleased to receive them, inclosed. You may rest assured that the Information is true, & I hope it will be satisfactory.

I am, Sir, yr. most obedt. servt. J. Rutledge

ENCLOSURE

"Queries. If Colo. *Hayne*, had he supposed himself on a Trial for Life, wd. have proved?

1st. That, when he went to *Chas. Town*, to *submit* to the *British* Commandt., he told him that he had borne Arms agst. them, from a Conviction of the Justice of the *American* Cause.

2. That the deplorable Situation of his Family, his Wife & Children

John Rutledge

then lying dangerously ill, & the Country wasted, had compelled him, for saving their Lives, to come to Chas. Town, to get a Physician, & procure Necessaries for the sick.

3. That he wd. submit to their Governmt., & take the *Oath*, but, must openly declare, that he shd. consider it as obligatory, only as long as their Protection shd. really be of Benefit to him; or, till the Americans shd. again get possession of the Country.

4. That this Protection was, again & again, annulled, by the British plundering him.

5. That the Americans had so far reconquered the Country, that all his Neighbours thought themselves obliged to declare for them, & insisted on his doing so.

6. That his Conduct, toward the British & their Adherents, had been remarkably benevolent.

Ansr. to 1, 2, & 3. Colo. Hayne did not go to Chas. Town, to submit to the British Comdt, but to procure a Physicn. & Necessaries for his Family, who were in the Condition abovementd—Colo. Balfour wd. not suffer him to return, unless he became a British Subject. He did not take an *Oath* of Allegiance, none was required of him, the Practice having been for those who applied for Protection, or requested to be admitted as British Subjects, to subscribe a *declaration* of Allegiance—This he did. Colo. Hayne told his Friends, that he made the declaration abovementd. to Colo. Balfour, with this Addition, that he never wd. bear Arms agst. the Americans. He also said that Mr. James Simpson, (Secretary to the Commissrs. for restoring Peace &c.) in behalf of the Commandt., assured him; that it was not expected that he shd. bear Arms agst. the Americans, nor adhere to the Allegiance which he promised, any longer than he shd. receive Protection. From a Confidence in Colo. Hayne's Veracity, the Publick beleive what he thus asserted, & it is supposed, that Simpson, Balfour, or some of the Officers of his Family, must have proved it, if they had been called for.

4. It is probable that this was the Case, as it corresponds with the Enemy's Conduct to others under similar Circumstances: but, We don't know that Colo. Hayne gave this as one of the reasons for his joining with his Countrymen.

5. There is no doubt of this—& many of Colo. Hayne's Neighbours might have been executed, with a much greater Appearance of Justice, than he was—for, several of them, after having voluntarily applied for Protection, & witht. making any Conditions, came, of their own Accord, & took up Arms with Us—But, our People, after having got possession of the Country below where Colo. Hayne resided, insisted that he shd. resume the Command which he formerly held of the Colleton County Regiment of Militia, &, if he had not done so, he wd., probably, have been brought off, & treated, as a Prisoner, perhaps harshly.

6. This is acknowledged by the Enemy, for Ld. Rawdon & Balfour extended the Time of Col. Hayne's Execution for this Reason—vide the Message delivd. by the Town-Major, amongst the Papers heretofore sent. Colo. Hayne was particularly careful, to restrain his Men from plundering, & Acts of Violence, on the Royalists—he treated all his Prisoners well—when he took Mr. Andw. Williamson, formerly a Militia-General, in our Service, but, who became a British Subject, he used him like a Gentleman, & immediately gave him his Parol to Charles-Town. Upon the whole the Reasons which Colo. Hayne thought justified his Conduct were—That his making a profession of Allegiance, to the British King, was, under the Circumstances above stated, an Act of Necessity—that he complied with the Terms stipulated, by a passive Deportment, untill the part of the Country in which he resided was recovered by the Americans, & his Neighbours were in Arms—that the British having withdrawn, or failed in, Protection, he no longer owed Allegiance—that he was not obliged to follow the Enemy into, & remain in, their Camps, or Garrison, in order to receive such a Kind of Protection as they could give only there—that it cd. not be expected that he shd. refuse to bear Arms with Us, at the Time he took 'em up, because, We wd. not suffer him to remain at Home in a State of Neutrality, but insisted that he shd. declare on one Side or the other. If for Us, that he shd. shew he was in Earnest—If against Us, his Person & Property were at our Mercy, & he could not, in that Case, have expected any Favour."

RC and enclosure (PPL: Logan-Dickinson Collection). In the hand of John Rutledge.

[1] The date that this hand-delivered note and enclosure were written is highly conjectural. They concern events surrounding the execution in August 1781 of South Carolina militia colonel Isaac Hayne for taking arms against the enemy despite having accepted British protection following the reduction of Charleston. Both Congress and the southern commander threatened retaliation, for which see Thomas McKean to Nathanael Greene, September 21, 1781, and it was the latter threat that prompted debate of the Hayne case in the House of Lords in January and February 1782. It may have been the reprinting of excerpts from these debates in the *Pennsylvania Journal* of June 22, 1782, that piqued Dickinson's interest in the Hayne affair and prompted his inquiry soon after Rutledge returned to Congress (June 27) following his month-long absence as a congressional commissioner to the southern states. The Hayne case remained a topic of concern throughout the summer of 1782 and generous excerpts from the House of Lords debates were again reprinted in the *Pennsylvania Packet* of August 27, 29, 31, and September 5, 1782. It is also clear that Dickinson was preparing the enclosed queries and answers and other papers received from Rutledge (see the following entry) for publication. At the top of the enclosure Dickinson wrote "Note on these words 'the Peculiar Circumstances of his Case'—first insert the Papers No. 1 to 7—with this Introduction 'Papers delivered by Colo. *Hayne* the day of his Execution to a Friend.'" Moreover, on the final page of the enclosure Dickinson copied four extracts from Rutledge's brief letters printed here and in the

following entry and labelled them "from a *South Carolina* Gentleman of the first Distinction," to which he planned to append a "Petition of the Ladies of Charlestown."

For further information on the Hayne affair, see David K. Bowden, *The Execution of Isaac Hayne* (Lexington, S.C.: Sandlapper Store, Inc., 1977).

John Rutledge to John Dickinson

Dr. Sir, Satdy. P.M. [July ? 1782]

I have made the Inquiry which I promised, respecting Colo. Hayne's Case, & find, that a Petition, of which the inclosed is a Copy, was signed by most of the Ladies of Chas. Town, & presented to Lord Rawdon, but, without any Effect.[1] Colo. Hayne's Children did not prefer any written Petition; but, with a Mrs. Perenneau, (Sister of their deceased Mother,) waited on his Lordship, & they, & she, on their Knees, implored his Mercy, but in Vain. The other Papers, from No. 1 to 7, were delivered by Colo. Hayne, the day of his Execution, to a female Friend, now in this City, for the Information of the publick, respecting his Treatment. You will be pleased to return these Papers, when you have made what Use of them you think proper.[2]

I am Sir, yr. most obed servt. J. Rutledge[3]

RC (PPL: Logan-Dickinson Collection).

[1] The enclosed petition (not found) was part of Dickinson's request for additional information on the Isaac Hayne case (see the preceding entry), to which Rutledge had responded on "Thursday P.M." with the following note (concerning "the Inquiry which I promised"): "Colo. Hayne was a Man of amiable & unexceptionable Character. I don't know whether his Children petitioned Lord Rawdon & Colo. Balfour, to save his Life, but, many of the Inhabitants of Chas Town, (Ladies & Gentlemen,) did. I believe there is a person in this City who has a Copy of the Petition. I will endeavour to get it & send it to you." Logan-Dickinson Collection, PPL.

[2] On another "Saturday," perhaps the following week, Rutledge also sent Dickinson another brief note, which reads as follows: "Mr. Rutledge presents his Complimts to the President, & will thank him for the Papers relative to Colo. Hayne as the Lady to whom they belong is about returning to Carolina, & wishes to have them." Logan-Dickinson Collection, PPL. It may have been this request that prevented Dickinson from publishing information pertaining to the Hayne case discussed in the note to the preceding entry.

[3] Rutledge also wrote the following brief letter of introduction, "To all whom it may concern," on July 28, 1782: "I do hereby certify, that the bearer, Col. Richard Hampton of South Carolina, who is well known to me, is a steady friend to his country. Having occasion to go on business to the eastern States, it is hoped he will meet with no interruption." Robert W. Gibbes, *Documentary History of the American Revolution*, 3 vols. (New York: D. Appleton & Co., 1853–57), 2:202.

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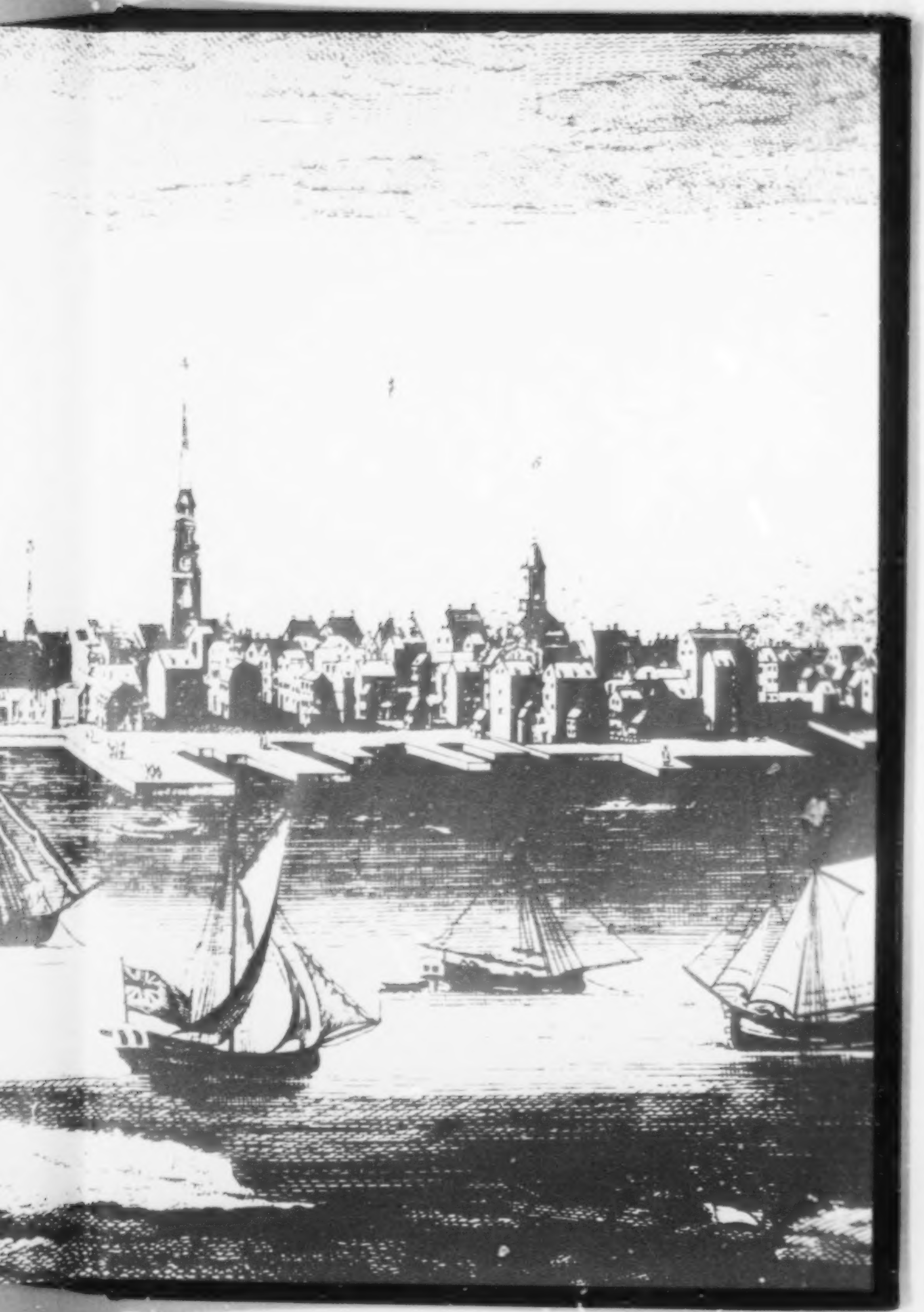
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